CALIFORNIA
STATE LIBRARY.

Accessions No. 114495 Received JAN 1901
Class c979.4 C153p2

#2: map removed 4/19/82

CAL.

California Pamphlets
Volume 2.

114495

California pamphlets. Volume 2.

1 Bribery; or the California senatorial election. A comedy in three acts.

2 Marcou, Jules. Notes upon the first discovery of California & the origin of its name.

3 Bushnell, Horace: California, its characteristics & prospects.

4 California miscellany of eclectic literature vol. 1. no. 1. 1860.

5 Prospectus of the San Pasqual plantation near Los Angeles.

6 Hughes, Mrs. Elizabeth. California of the padres.

7 San Jose Board of Trade. - Resources of the Santa Clara valley.

8 Philosopher Pickett's anti-plundercrat pamphlets.
Discourse on law, judges, lawyers et al.

9 Strange meeting of three California millionaires.

10 Gowen, John E. - Vigo bay treasure company Prospectus and narrative.

11 Andrews, A. - Appeal to the people of California

12 Truman, Maj. Ben. C. Homes and happiness in the golden state of California.

13 Anniversary celebration at Monterey. July 5, 1886.
Roll of members of the Associated Veterans of the Mexican war.

14 Facio, M. Sanchez. - The truth about Lower California
Report of the inspector to investigate the colonie
of Lower California

15 Edwards, Colonel Philip L.– Diary; California in 1837.

16 State Board of Trade.– Report of the immigration committee. Important letter from A. N. Towne to Governor Budd.

This was suppressed by its author

was suppressed by its author

1180

BRIBERY;

CAL.

OR,

The California Senatorial Election.

A COMEDY.

In III Acts.

San Francisco:
1868.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

1/FO

BRIBERY;

OR, THE

CALIFORNIA SENATORIAL ELECTION.

A Comedy, in Three Acts.

ACT I.

SCENE—In Cosmopolitan Hotel, San Francisco.

Enter *Handerly,* a Senatorial Candidate, and *McQuintin.*

Handerly. Well, Mc., the Senatorial contest is beginning to be lovely. All the candidates are in the city, on their way to the Capital. They will be at the Grand Inauguration Ball; and after that the Senatorial ball will be fairly opened.

McQuintin. But, Handerly, you must have a ranch in Sacramento; that is, rooms full of wine, brandy and whisky, to treat the members of the Legislature, when your friends rope them in. That is California style, you know. How about your ranch, my friend?

Handerly. To tell you the truth, I am not flush in the *balsa* just at this time, and have not yet started my ranch. But stay, I have a plan. You have plenty of money, and are a candidate for Harbor Commissioner. Suppose you take the rooms, purchase the whisky; in short, pay all the expenses, and we will be full partners in the ranch.

McQuintin. Very economical arrangement for you, old war-horse of the Democracy; but as it is you, I will stand it; it is done.

Handerly. You know, if I had the "spondulics," Mc., no one would come down with them more like a man.

McQuintin. That is so. And now, Handerly, honor bright. What do you think my chances are for Harbor Commissioner? Have you ever heard, among the boys, any objection to me?

Handerly. Well, as to your chances, to be candid, Mc., that will depend very much upon how you come down with the ready cash. Judging from the appearance of these members, as they come in, I think they are "on it." And as to objections, I never heard any serious objections to you, in my life.

McQuintin. But, Handerly, what is your strength; name the members that will vote for you.

Handerly, (a little confused.) Well, I have a great deal of general strength: but I can't exactly mention any one that is going to vote for me. I had rather not particularize.

McQuintin. Oh, d—n it, Handerly, what is the use to talk nonsense, and beat round the bush. You must have some member to put you in nomination in the caucus. You must have a STARTER, Handerly. Who is your starter?

Handerly. Well, there is Cuton. If I had $500, I could get Cuton, at least for a few ballots; and, as you say, by way of "starter."

McQuintin. Well, Handerly, mark me; I would not buy votes for myself, but here is $500, and if you choose to purchase, that is your own morality.

(H. takes the money, and starts full tilt for Cuton.)

SCENE 1—In Col. Hodges' Office, San Francisco.

Enter *Spectator*, an ex-F.F. V., and *David Portly*, of the Chivalry.

Hodges. How now, my faithful friends, how now?

Spectator. It is no use talking, Hodges; I have seen the boys; they are bound to have some of the lawful coin of the realm, or I don't think they will stand it.

Hodges. Why, you amaze me! You surely don't mean to tell me that the Chivalry, the pinks of honor, the boasted Cavaliers of the South, propose to sell themselves, like sheep in the shambles?

Spectator. It is even so; there are eighteen members of the Legislature of Southern origin, who will not vote without an "ante," as we say at "poker."

Portly. The fact is, Colonel, the Chivalry say there is no difference between voting for you and Eugene Castle, so far as politics are concerned; and as Eugene comes at them with the broad pieces, his show to get them is the best. Could you not raise the wind? There is the Steam Company, the California Bank, and ———

Hodges. I tell you, gentlemen, one thing, I shall not disgrace myself in this fight. A public man has a right to take care of his friends by Executive appointments, after his election, as I shall do of all my good personal friends, one and all; that is according to usage. But I will not stain my hands and reputation by offering money, or authorizing it.

Scene 2.—The Office of Eugene Castle, in San Francisco.

Enter *Father Cotton.*

Eugene Castle. Welcome, thrice welcome, most Holy Father. Whenever I behold you my thoughts turn reverently from this wicked world to heaven. Father, your blessing. (Kneels.)

Father Cotton, (laying his hands on Eugene's head.) Receive the blessing and the best wishes of the church, faithful lay brother, of the Order of Jesus. Be industrious, use all means, and the Senatorial toga will deck your shoulders. Remember, that according to our pious creed, the end justifies the means. It is the great secret of the success of our Order. The church will leave no stone unturned, to crown your ambition with success, knowing full well that after your election you will be guided by the counsels of the Order of Jesus—

Eugene. Fear not, Reverend Father in God, you know, that your ghostly counsels will ever be the guide to my actions in the path of duty.

Enter *O'Donnell,* a Director in the Irish Bank.

O'Donnel. Well, friend Eugene, I have good news for you. The bank has discounted most liberally. Peter O'Dunup, the ironmonger, has come down like a prince. You have an unlimited credit in our institution, and Father Cotton has taken up a big collection among the Irish servant girls; the jades squirmed a little, but they could not withstand the Holy Father's threats of excommunication. I tell you, Eugene, there is nothing like superstition, when you want to take up a collection among the faithful. It is an unfailing bank, whose deposits no run can exhaust. It is a potent institution for which the million have toiled for ages, and for which they will continue to labor until the final coming of the great fool-killer.

[*Exeunt.*

Eugene, solus. By Saint George, and now the work goes bravely on. Already, I begin to clutch the glittering prize. I fancy I already tread the Senate Chamber; and Irishman, as I am, in all the pride of an American Senator. The monied interests I am connected with have come down gloriously with the sinews of war. The Irish clans are mustered on my side, and the Jesuits, the cunning Jesuits, with their secret, stealthy ways, will strain every nerve in my behalf. Dear, good, pious Father Cotton! pious, indeed, ha, ha, ha! did he not say the end justified the means? It was a nice hint which I shall improve. I shall flatter, cajole and coax where I can, and buy where I must. To the Republicans, I shall confidentially be Republican, and to the Chivalry, whom I detest, I shall out-Southern the South. The end justifies the means: so says the Holy Father Cotton. He vainly thinks that, after my election, he can control my course. I understand him. But in the end he will learn, that I can out-Jesuit all such Jesuits as he. Eugene Castle is no "sardine." My faith is a rational faith, so long as the Church and the Irish contribute to my ambition and profit.

SCENE 3.—Room at the Cosmopolitan.

Enter *Haywood* and *Elias.*

Haywood. Well, friend Elias, what are the signs on the Senatorial horizon?

Elias. Not encouraging. Our Southern member of the Legislature, Jack Walton, was found laced to the wall this morning.

Haywood. I don't take.

Elias. He gravely informed me that he had won a thousand dollars at a game. I said "what game, Jack;" he replied, "why, this new fashionable game called the Senatorial rub." That let me out. He said, "times were "corky," and business was business; he was bound to take care of Mrs. W. and the babies."

Haywood. Ha, ha, ha, of course, the rascal will sell his vote on any question, the whole session, where he can find or force a purchaser, It is quite idle for me, Elias, to enter this contest. I have only about a dozen unpurchasable friends, and they are too few.

Elias. Well, I am resolved to make the best fight I can on you, and take all the chances. I trust the majority are not in the market.

Haywood. Well, do as you please, I am in the hands of my friends—but you will find that the result will be made by money and bribery. I trust it is unnecessary for me to say to you, that if I had a cart-load of sovereigns I would not employ them in the purchase of a seat in the Senate. Rather than purchase public station by bribery I would hide myself in the darkest nooks of obscurity forever.

Elias. I have your sentiments.

Haywood. How has the Senate fallen ! In all candor, I consider a seat there now no great honor. The chances are, that before the expiration of the next Congress, one might be sitting by a big, black negro, who could not write his name. I have seen the Senate, Elias, in the palmy days of its meridian splendor. As a member of the great Compromise Congress of 1850, I heard the last efforts of the immortal three, Calhoun, Clay and Webster. I was present, at the last effort of Calhoun in the Senate, and afterwards followed him to his grave, as one of the mourners of a sovereign State. During the whole session, the voice of that great statesman and patriot, Henry Clay, rang out like like the notes of a silver trumpet, in fovor of the Compromise measures, and the Union. He was

> "One who shook the nations through his lips, and blazed,
> 'Til vanquished senates trembled as they praised."

I listened to the last great speech of Daniel Webster in the Senate in favor of the Compromise measures, the Constitution and the Union. It was a triumph of eloquence, which Demosthenes alone could have equaled. It reminded me of the description of the old historian of the popular movements, when the Great Athenian orator was to speak, when all Attica poured into Athens. When it was known that Webster was to speak in the Senate, the cars ran all night, and the elite of Boston, New York, and Philadelphia poured into Washington; so, that hours before the session began the Senate Chamber was crowded to suffocation by ladies and gentlemen. And when the orator dilated on the advantages of the Union and the obligations of the Constitution, one might say with the poet:

"All thoughts, all feelings, all passions, came thronging to his call."

It was the only display that I ever witnessed that came up to my ideas of Athenian and Roman eloquence.

He but disgraces himself and his country, who purchases a seat in the hall trod by those forms, while their shadows were upon earth.

Scene 4.—In Room of the Cosmopolitan.

Enter *Posie*, a Senatorial Candidate, and his Manager, *James Fairplay*.

Posie. Well, I am fairly in the fight. I think I shall make the trip; although they do say that I have no Senatorial talent, and spell God with a little g. There is one thing, I can spell Senator with cash. My mine is a good electioneering card. It pays and buys.

Fairplay. You bet; I am an old member of the Legislature, and know the easy virtues of these chaps. You just give me a plenty of money, and I will purchase your way from the stump up. "Put money in thy purse; put money in thy purse.'

ACT II.

Scene 1—In the Golden Eagle Hotel.

Enter *Posie* and *Fairplay*.

Posie. Well, Fairplay, the caucus comes off to-night, and we must be busy. What is the state of the market?

Fairplay. Ranges high; about $1,500 in the start. I have gratified three or four at that figure. That is what the Mexicans call it, "gratification." I went after Elias, Hayward's friend, and head of his ranch. I asked him to name his figures, but he said he was not in the market; in short, seemed honest. But I have put the Assistant Doorkeeper on his track.

Enter *Assistant Doorkeeper.*

Fairplay. Well, what luck?

Ass't Doorkeeper. Some hope; I went to Elias, and said, suppose it comes between Castle or Hodges and Posie, how would you vote? He replied, Posie is an old line Democrat, and I would vote for him in preference.

Fairplay. Keep nibbling at him, like a mouse at the cheese.

Enter *Cuton.*

Fairplay. We have taken the liberty of sending for you, to have a little private conversation on the Senatorial election.

Cuton. Well, I always listen to arguments; in short, am open to conviction.

Fairplay. Name your figures, and vote for a sound Democrat; vote for Posie.

Cuton. Well, for a few rounds I must vote for Handerly—am promised; but as he has no chance, am at liberty after that. For two thousand, cash up, you know, I might see my way clear.

Fairplay. It is a whack; here is the cash. (Produces a bag, which Cuton pockets, and retires.)

Scene 2—In Solomon Blunt's Room.

Enter *Solomon Blunt, Elias* and *Jones.*

Jones. Well, friend Elias, we have thought Blunt might as well be Senator, and you can have a couple of thousand. (Holds out the cash.)

Elias. Not on it, Solomon; am for Hayward all the time. Now, let me give you a little advice. You have not the ghost of a chance in the fight; better save your cash; it will be useful. [*Exit Elias.*

Scene 3—In the Orleans.

Enter *Wallack*, a Senatorial candidate, and *Wheatland*, a Representative.

Wallack. What do you think of the prospect? Give me your candid opinion.

Wheatland. Well, I think your goose is cooked. We have now balloted three nights. You have run up to fifteen votes; Hodges, Posie and Castle about the same. You can never succeed without a large employment of money, and to that I will, as you are aware, never consent. I shall vote against Castle, because I believe he has resorted to bribery. It is a monstrous sin and shame. It is a growing evil in the Uuited Sates generally, and in California in particular, and if not resisted, must end in the downfall of Republican government. I think you act wisely, to retire from a contest in which you cannot remain honorably, with any hope of success. Besides, Hayward will be put in nomination to-night, and that withdraws half your votes.

Wallack. Well, I shall withdraw; I authorize you to say so. I shall withdraw in favor of Posie.

Wheatland. Good night.

Wallack retires to bed. Before he is up, and early in the morning, enter *Barnes*.

Barnes. Good morning, General. Excuse me for disturbing you so early. My name is Barnes; the partner of Castle. I assure you, Mr. Castle appreciates your conduct in this contest; is disposed to be your friend. Let bygones be bygones. In short, he will place your name on the next Presidential Electoral Ticket, and make your political fortunes. You have necessarily been at a great deal of expense in this contest. If you will transfer your friends to Castle, here is a blank check, for your expenses to be filled in at your own figures. Castle can afford to be generous.

Wallack. I have listened patiently to you, Mr. Barnes. I judge, from the moral aspect of your proposition, that you are not that Barnes who wrote the "Notes on the Gospels." I wish, however, to be distinctly understood on one subject: if there were two seats in the Senate, and I could purchase one by giving the other to Castle, I should decline the bargain. Good morning, Mr. Barnes; I commend you to prayers and repentance. [*Exit Barnes.*

SCENE in Hodge's Rancho.

Enter *Spectator and Foxpax.*

Hodges. I am rejoiced to see you, my friends. Foxpax always reminds me of the grand Old Dominion, and Spectator of the renowned Addison. Well, how goes it?

Foxpax. Not well, my lord.

Spectator. Gold is rising in the California Legislature.

Hodges. But have you seen your friends of the chivalry? Have you felt of Jones?

Foxpax. Been through him; he is on it. Posie will capture him.

Hodges. And Smith?

Foxpax. Been through him; he is on it. It is a tight race whether Castle or Posie wins. Highest bidder comes out ahead.

Hodges. And Senator Freeliver?

Foxpax. Been through him; he is on it; voted for Wallack; was consigned himself afterwards to Posie on an advance on cargo, and finally sold to Castle. Said to have eight thousand in bank already. Oh, the market is active!

Hodges. And Guilder?

Foxpax. Done gone to Castle for $400 before he left San Francisco—cheap.

Hodges. And ——.

Spectator. Castle *greased* him before he left home. No chance for him. He says he has kept his office in front of the Bank of California ever since he was elected.

Spectator. In brief, Col., that is the style of many of the chivalry in the Legislature. How are the mighty fallen!

Hodges. Bah! I tell you that, if it comes to a fair fight between me and Castle, I shall win.

Spectator. I hope so; but now I shall tell you a thing that will surprise you. Your old Illinois friend, San Bernardino, notwithstanding his letter to you, that he would stick by you as long as you had a shirt to your back, will vote for Castle on the last ballot.

Hodges. Impossible!

Foxpax. Don't be too sure, Colonel. "White man mighty unsartain, and nigger will run away." That is the way they used to put it up in Old Virginny. I am afraid you are gone up the flume.

Hodges. I am still full of hopes. Since I saw you I have had an offer from the enemy to take all my expenses and retire from the contest, which I rejected with scorn, and, no doubt, had I bit, it would have been followed up by a request, *a la* Barnes, to fill up a check at my own figures. If there was as much danger as you imagine, this proposition would not have been made to me. Courage, friends; courage.

Foxpax. *Nous verrons,* as old Tom Richie used to say.

Scene in the Room of Elias.

Enter *Assistant Door Keeper,* in great glee, rubbing his hands.

Door Keeper. Well, you know you told me you preferred Posie to Hodges, or Castle, so I sold your vote to Posie for two thousand dollars; let us divide the money. That is the fair thing, you know.

Elias. What is that, you scoundrel—(seizes him by the throat.) If you were not a degraded specter of infamy, on the verge of the grave, I would break every bone in your body. When I want to sell my vote I can find a purchaser myself. Now, sir, know that I will not vote for Posie under any circumstances. No, not to save his life.

Door Keeper. Don't be angry; don't hurt me; I did it all for your own good.

Elias. For my good, you wretch. Leave my room, sir, instantly. (Opens the door and pushes him out.)

ACT III.

SCENE 1—In the Ranch of Posie.

Present, *Posie* and *Fairplay*.

Enter *Cuton*.

Cuton. Well, gentlemen, I have come to return that money; the thing did'nt set well on my conscience Here are the two thousand dollars. (Holds out the bag.)

Fairplay. Why, that is most extraordinary. If you want more, say so; we can give as much as anybody. We had counted on you, Cuton. You don't give us a fair show. Our money is as good as another's. Pray, say what you want.

Cuton. Nothing the matter, but the sting of conscience, I assure you. (Cuton lays the money down, and leaves.

Enter *Snooks*, friend of Posie.

Fairplay. Cuton has just returned the money; his conscience hurts him.

Snooks. Consience be d—d; that is the last thing that will ever trouble him. The secret is, that he has already gone over to Castle for more money, and the check has been presented and paid at a Bank in San Francisco, of which I have the most incontestable assurance.

Enter *Quartz*, moneyed friend of Posie.

Fairplay. How now, Quartz? Most happy to see you. The fact is, the market for votes is high, and still rising. Must have more ready.

Quartz. I do not intend to advance another red. I am tired; it can't win.

Fairplay, (aside.) Then the thing is out. I begin to doubt the proverb, "that an ass loaded with gold can make his way well enough through any city." The boys will not vote for Posie when a man of education and decided talent is against him, like Castle, who bids higher with the cash. Solomon and his proverb are played out.

Posie. Well, Quartz, what do you propose?

Quartz. Next thing to a victory is a skillful retreat. I see no prospect of your election. The card now is to get your money back; that you may do by transferring your men to Castle.

Posie. But how is that to be managed? I am willing to retire, under the circumstances.

Quartz. I am authorized. If you consent, here are the checks for the amount, —— thousand dollars. [Hands them over.]

SCENE 2.—Castle's Room at the Magnolia.

Enter *Barnes, The Man with the White Hat,* and *Mudville.*

Castle. This thing is getting oppressive; it must be closed. Barnes must order up all the deposits.

Mudville. We must nominate in the caucus to-night. It will cost no more to-night than at any other time.

Castle. You talk wisely, Mudville, and like a man that is certain of the San Francisco Custom House. Handerly withdrew night before last, and Haywood will be out to-night. There will be a result in the caucus to-night, and you must be swift of foot all this day. Go, my friends, and return like bees, with your thighs loaded with votes. [*Exit Mudville and White Hat.*]

Enter *Col. Jack Walton.*

Walton. White Hat said you wished to confer with me.

Castle. Ah, yes. You are a friend of Posie. The fact is, I have an understanding by which the friends of Posie are to vote for me.

Walton. Posie has no power to transfer me. Mr. Castle. To be plain with you, business is business, and times are *corky,* and I must take care of Mrs. W. and the babies. I shall not vote for you without a cool $5,000. Put that in your pipe and smoke it.

[*Castle* withdraws. *Father Stealthy,* a Jesuit Priest, enters, goes to the trunk, takes out a bag, opens the wardrobe and looks in, peeps under the bed, listens at the keyhole of the door, puts his fingers in his lips, and hands the bag to Walton, who retires.]

Enter *Brown Tulare.*

Tulare. Mr. White Hat informed me that you wished to see me.

Castle. Yes, Mr. Tulare; I have for some time been anxious to make your intimate acquaintance. I know you are a Southern man. My heart bleeds for those poor people down South. I don't expect to live long, but the fondest wish of my heart is to be elected to the Senate of the United States, so as to restore the Southern States to representation, and raise that oppressed people to their just rights. I trust you will not ruin your prospects by voting for Posie or Hodges.

Castle withdraws and *White Hat* enters.

White Hat. Well, Tulare, I trust you are convinced by the arguments of our great man of the propriety of voting for him for the Senate.

Tulare. He talks well, but I can't say I am convinced that he is the right man in the right place. To be frank with you, I have been voting for Haywood, and and should prefer Col. Washington to Castle. I am not in favor of a War Democrat.

White Hat. Well, Tulare, name the sum that would be convenient for you, in case that you just at this time vote for Castle.

Tulare. My conveniences don't lie in that direction. If Haywood withdraws, I shall vote for Hodges. Good morning, Mr. White Hat.

Re-enter *Castle.*

White Hat. No go; Tulare did not bite. Can't be bought, and won't stand an old Van Buren barnburner. He is an honest Chiv.

Castle. Well, go after Newcomb, Elias and Tullus—let us be lively until after the caucus meets to-night.

[*Exit White Hat.*

Enter *Tullus.*

Castle. I am rejoiced to see you, Mr. Tullus. I have been anxious for some time to have a free conversation with you on the subject of the Senatorial election,

Tullus. White Hat requested me to call, in your name, which is the reason of my visit.

Castle. I have been in hopes, friend Tullus, that I might receive your vote in the end. I assure you that

I will, in the Senate, if elected, support the rights of the South to the utmost of my ability, and urge their just claim to immediate Congressional Representation. I should be proud if you would link your political future with mine. There is nothing in the way of friendship and aid that I am not prepared to promise you.

Tullus. As this interview has not been of my own seeking, I shall be entirely frank with you, Mr. Castle. I understand that you advocated the war and its measures, until about the time of the nomination of Gen. McClellan, and that you were violent in your course. I have been a deep sufferer by the war. One sister had her house burned almost over her head, was driven in exile from her home, and died of her sufferings. Another was so outraged by a party of Federal soldiers that she died on her own door steps. I must feel confidence that the Senator I support will vote against the recognition of any government at the South, established in violation of the Constitution, by force, fraud and negro votes. He must resist putting White men under the government of ignorant Negroes. No personal or pecuniary consideration on earth would induce me to vote for a supporter of the war. Good morning Mr. Castle.

SCENE—In Haywood's Ranch.

Present, Newcomb, Elias and Tulare. Enter *White Hat.*

White Hat. (Aside.) Come, don't be incorrigible, Newcomb; Castle must have two more votes; would prefer three—is prepared to pay any price. Why is it not just as well for you, Elias and Tulare to make, say about twenty thousand dollars. That would put you easy for life?

Newcomb. Other gentlemen can do as they please. I am not in the market, and I am quite sure that Elias and Tulare are above all price. I think you had better keep your breath to cool your teeth. You don't raise yourself or Mr. Castle in my estimation.

White Hat. Well, I shall urge the matter no further. I think you are more nice than wise.

Enter *Haywood* and exit *White Hat.*

Tulare. Well, we have just been the object of a most extraordinary mission. I feel quite certain that I had only to say the word to have pocketed five thousand. I think we could have sold this rancho from under you for at least twenty-five thousand.

Haywood. Well, gentleman, you have behaved nobly amid a sea of corruption. Of course, any one is free to act for himself. It is proper for me to say to you, that I do not desire to be balloted for in the caucus to-night, and as I do not think my real strength is above the thirteen votes I have received, I do not seek the large complimentary vote which I might obtain on the condition of withdrawing, I should prefer that my friends would vote quietly for Hodges. I cannot see that Templebar has any prospect of success; he is too sound a Democrat. In reality, he started with nine votes, and has remained in the nine-hole ever since. The contest now is really between Castle and Hodges. If the caucus had been left to an unbought choice, the selection would have fallen on Col. Washington, or myself. It is true, that the position of Hodges as to the war is similar to that of Castle, but the *animus* of the former is much better. He is firmer of purpose and more reliable, as one of the pilots in the storm, which I foresee, the Ship of State is likely to encounter. Moreover, so far as I know or believe, Hodges has not used money in this contest, for the purchase of votes. That fact alone would induce me to give him my support. Bribery in elections is an infamy which must be crushed out, or the Republic itself will fall as Rome did, beneath the weight of this corruption. No man who resorts to it must be permitted to enjoy the wages of his iniquity. It is just, that the disgrace of it should fall on its author, instead of the whole Democratic party and the State.

SCENE—In Castle's Ranch.

Enter *Mudville, two Negroes* and *a Chinaman.*

Mudville. Allow me, Mr. Castle, to present to you a delegation from our colored brethren in San Francisco and Sacramento; and also our friend John, late from the Celestial Empire, but now of San Francisco. Mr. Sambo of San Francisco, Mr. Castle; Mr. Castle, Mr. Sambo.

Castle. Thrice welcome, men and brothers ; it rejoices me to see you with an exceeding great joy. The glorious time of the universal fatherhood of God, and the universal brotherhood of man is beginning to dawn.

Mudville. Allow me to present Mr. Juba, the colored delegate of the colored men of San Francisco, and a Southern freedman.

Castle. Delighted to welcome you to California, since you have escaped from the house of bondage. (Aside, he is colored, sure enough. The overflow of the Sacramento has not washed him much.)

Juba. The colored men of Frisco and Sac. City has just sent you some dust; but, fust, say to us how you is on the Construction. Dat's what de colored men told us.

Sambo. Yes, Mr. Castle, we wish, before we deliver, to know how you stand on the great Re-construction Measures.

Castle. (Aside, how the devil shall I manage this? I told the caucus in my speech, that I was opposed to the Re-construction Measures, and Negro and Chinese suffrage. I will fool them with platitudes.) Oh, gentlemen, I am the friend of the colored man. I have already said, I consider him a man and a brother. The Deity could have intended no difference in men founded on mere color. What can be more opposed to Christianity and true philosophy? In my Church white and black, the prince and the peasant, all kneel together at the same altar. I am opposed to all aristocratic social distinctions. I would as soon my son would marry a negro wench as any other—(aside, provided there was no other way for me to get to the Senate.) Mr. Sambo, when my own Church is out in San Francisco I often pass up by the African Church and pause with delight, while they sing:

"The Lord, he lobed dat nigger well,
'Case he knew dat nigger by de smell."

Juba. Massa Eugene talks like a book.

Sing Lee is led forward by Mudville.

Castle. I am overjoyed to meet you, son of the Celestial Empire, and countryman and disciple of the great Confucius. (Embraces him and becomes entangled in John's tail.)

Sing Lee. Chinaman send de dollar, Mr. Castle; Chinaman got de dollar; how you like de dollar, Mr. Castle?

Castle. Right well, my lily of the flowery kingdom. I find the dollars useful just now. I have ascertained, to my cost, that the Chivalry dote on the almighty dollar. Their Secessionism melts before it like the snow beneath the Summer's sun.

Sing Lee. Suppose you elect, Mr. Castle; you be the friend of Chinaman; you make Chinaman all one, all one same as 'Melican man?

Castle. John, you bet. If I go to the Senate, John, the Chinaman will be the apex of the great re-constructed pyramid of humanity. He will be on the top of the "regenerated Democracy," John. [*Exeunt.*]

SCENE—In the Orleans.

Present, *Col. Jack Walton*, the night after the nomination.

Walton, (to the Servant.) Oh, I am deadly sick; run for General Phineas. I am going to die.

Enter *Phineas*, in haste.

Gen. Phineas. Make haste for the nearest Doctor.

Walton. It is no use, General, I am going; my time has come. General, take this bag of money from under my pillow, and count it.

Gen. Phineas. It is five thousand dollars, all told.

Walton. That is right. I sent $1,000 home to my wife, and bet another thousand off at faro. That and the $5,000 are all I won at the Senatorial game. When you go home, give that to my poor wife.

Enter *Doctor Squills.*

Gen. Phineas. Do, dear Doctor, do something to save this poor fellow. He has a mighty nice wife and children.

(Doctor feels his pulse, looks at his tongue, and examines him.)

Doctor. You have been drinking whisky, you rascal. Case of *delirium tremens*, General. Has had the "man with the poker" after him. Will give him a dose that will save him this time, but he travels on the next fit.

(Administers a potion; patient revives, looks round, and rubs his eyes open.)

Walton. I say, General, I have changed my mind; am not going to die this time. Will trouble you for that money, if you please. Have concluded to give it to my wife myself, if the "tiger" don't scratch it out of me before I get home.

Gen. Phineas. I trust you will live to repent. And may any man who has purchased a place in the United States Senate with vile gold live to be indignantly ejected from his seat, under the gaze of that august assembly, fixed on him in scorn and contempt. This business must undergo investigation. It is confidently asserted in political circles, and generally believed, that not less than two hundred thousand dollars have been expended in bribes during this Senatorial contest. Under the law of 1863, not only a bribe to a member of the Legislature, but an offer to a member of a legislative caucus is a State Prison offense for a term not less than one year nor more than ten years. If justice is done, the Penitentiary will soon claim its own, and several ambitious politicians be placed where they will have an opportunity to learn a trade more honest than bribery. The nomination of the Democratic caucus, by a vote of 44 to 24, is a fact of too much significance to pass without inquiry.

NOTE.

It is not the purpose of the writer of this piece to carry on the war by means of a masked battery. He courts Judicial investigation, or Legislative inquiry, either before the Legislature of the State, or the Senate of the United States. Any Senatorial candidate who desires anything else, may get at the author by enclosing his authenticated card to the "Author of Bribery," and leaving it in the Postoffice. A friend of the author will wait on the gentleman at once.

ADDENDUM.

The Author withheld this publication under the advice of political friends. A press, known to be under the influence of the successful candidate, has virtually made it public by alluding to it, and giving the name of the supposed Author. The object must be apparent: it renders publication necessary. There was no secret in preferring this charge. As soon as it was printed, a copy was shown to the successful candidate, and the name of the Author given, with his consent. Conscious innocence would have indignantly demanded an investigation at once. Instead of that, his confidential friends have opposed investigation by the Legislature, and the resolution has been given a direction which they suppose has smothered inquiry. They will be disappointed. The only facts stated in this piece—that bribes offered by persons supposed to be agents of the candidate, and refused by members of the Legislature, are given on the information of members, and the reception in other cases, is stated on information believed to be true. The Author will make no affidavit, because he could only do so on information and belief, which would not be sufficient under the resolution. He, however, notifies Mr. Casserly, that there are three courses open to him. A prompt vindication on his own demand of investigation; an immediate resignation; or the chances of an expulsion by the United States Senate.

It is proper to add, that in this piece no reflection is intended on the Catholic Church, whose conservative course is appreciated by no one, more than by the Author. Nor is any imputation intended on the Catholic Clergy as a body. It can boast of such men as the good Arch-Bishop of San Francisco, illustrious for piety and virtue. They are the last men to sanction corruption. But, as for political Jesuit Priests, any more than other political priests, the Author does not disguise his detestation.

Dup
removed 4/19/12

From the author

NOTES

UPON THE

FIRST DISCOVERIES OF CALIFORNIA

AND THE

ORIGIN OF ITS NAME,

BY

PROFESSOR JULES MARCOU;

BEING

PART OF APPENDIX NN

OF THE

ANNUAL REPORT OF THE CHIEF OF ENGINEERS, U. S. A., FOR 1878.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1878.

G. L rando,

ofesseur de Botanique,

René Caillé.

N̆

RÉPUBLIQUE

37/1

NOTES

UPON THE

FIRST DISCOVERIES OF CALIFORNIA

AND THE

ORIGIN OF ITS NAME,

BY

PROFESSOR JULES MARCOU;

BEING

PART OF APPENDIX NN

OF THE

ANNUAL REPORT OF THE CHIEF OF ENGINEERS, U. S. A., FOR 1878.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1878.

NOTES UPON THE FIRST DISCOVERIES OF CALIFORNIA AND THE ORIGIN OF ITS NAME.

BY PROF. JULES MARCOU.

OFFICE OF THE CHIEF OF ENGINEERS,
Washington, D. C., August 6, 1878.

SIR: Please find herewith a translation of "Notes upon the first discoveries of California and the origin of its name," by Prof. Jules Marcou, of Salins, Jura, France, which has been kindly furnished to the Chief of Engineers by the author, and I am to request that you will incorporate the same in your report for the last fiscal year. The map referred to in the "Notes" has been lithographed in this office, and the number required for your report will be supplied to you.

By command of the Acting Chief of Engineers.

Very respectfully, your obedient servant,

GEORGE H. ELLIOT,
Major of Engineers.

Lieut. GEO. M. WHEELER,
Corps of Engineers.

[Translation.]

In the collection V of "*Lettres édifiantes et curieuses écrites des Missions Étrangères par quelques missionnaires de la Compagnie de Jésus, Paris*, 1724," is found a memoir touching the condition of missions recently established in California by Father François Marie Picolo, dated Guadalajara, Mexico, February 10, 1702. The approbation of the Sorbonne is dated February 17, 1705, and the privilege of the King bears the date of October 27, 1705. The memoir was not printed until 1724, and was published in 1725.

A map of the greatest importance in the history of California and of Arizona accompanies this memoir. This map is entitled "*Passage par terre à la Californie découvert par le Rév. Pére Eusèbe François Kino, Jésuite, depuis* 1698 *jusqu'à* 1701, *où l'on voit encore les Nouvelles Missions des P.P. de la Compagnie de Jésus.*"

As the editor stated in the epistle or preface, the map of Father Kino demonstrated that California was not an island, but indeed a peninsula, which was contrary to the maps published at that period.

If we go back to the earliest geographical documents of the sixteenth century relating to the New World, it will be seen that Hernan Cortès, after his conquest of Mexico, or New Spain (as it was then called), fitted out in the harbor of Tehuantepec two vessels, named Conception and San Lazaro, to discover and reconnoiter lands in the South Sea, if any existed.

This voyage, which was made in 1533, had no further results than the reconnaissance of the land about the 23d degree of latitude, which forms part of the southeastern extremity of Lower California. The expedition was commanded by Capt. Diego Becerra (or Bezerra) de Mendoza, with the Biscaien, Ordoño, or Fortun Ximenès as pilot.

In 1535, Cortès, with three brigantines, set out from Chiametla, or Chametla (Jalisco), reconnoitered the bay of Santa Cruz (which bore later the name of Palmas Bay, and is now called Muertos Bay), and the river San Pedro and San Pablo, crossed the Mar Rojo (Red Sea), lost his vessel by shipwreck on the coast of Culvacan (Culiacan), in the State of Sinaloa; and it was only after much suffering and danger that Cortès regained the harbor of Acapulco.

Cortès, constantly preoccupied with the idea of penetrating the secrets of the South Sea, sent in 1539 Francisco de Uloa, with two vessels, to continue his discovery. Uloa followed and coasted all along the eastern shore of California, having reached about the 30th degree of latitude. He saw land on the right and left, and those on board began to agitate the question whether California was an *island*, as Cortès had thought it to be, or was really a *peninsula.*

Continuing to sail toward the north some 50 leagues farther, Uloa perceived that the water was changing color and becoming as white as lime; advancing 9 or 10 leagues farther on, he ascertained by sounding that the depth constantly diminished until at last he found only 5 fathoms, with a strong current of thick and muddy water; then going to the masthead, Uloa saw the land extended farther on, and on every hand a very low shore, which was scarcely perceptible, and, convinced that he could not advance farther to the north, he crossed to the other side to coast along the shore opposite to the one which he had just reconnoitered. After having doubled the southern point of Cape San Lucas, he went up along the western shore of Lower California as far as the 28th degree of north latitude.

There terminated the discoveries of Uloa; and it remained an open question whether this land was an island, as Cortès had designated it in his letter from the great city of Tenuxtitan (Mexico), to the Emperor Charles V, dated October 13, 1524, or whether it really belonged to the continent, as Uloa was inclined to believe.

In 1540, the viceroy, Don Antonio de Mendoza, sent out his celebrated military expedition, under the command of Francisco Vasquez Coronado, which was intended to support the flotilla commanded by Francisco d'Alarcon. The orders were to form a junction at the 36th degree of latitude, but the two expeditions did not communicate with each other.

Alarcon reached the head of the Gulf of California, and there he found a large river with a very rapid current, which he tried to ascend both in shallops and in boats.

After having ascended the river a distance estimated to be 80 leagues, he set up several crosses on the banks, and buried at their feet bottles in which were placed papers stating the year, month, and the day of his arrival. Alarcon named this river Bona Guia. After having waited some time he returned to his vessels and thence to the harbor of embarkation.

Thus Alarcon was the first who had the honor of discovering, and of ascending for several days, the Bona Guia, which is no other than the *Rio Colorado* of California. He thought he had ascended as far as the 36th degree, but there are evidently errors in his positions and distances, for the Rio Gila empties into the Colorado at about the 32d degree of latitude, and Alarcon never saw the mouth of that river, for if he had he would very certainly have made the fact known. As to thinking he could have reached the 36th degree in ascending the Colorado, that is to say, that he could have passed not only the mouth of the Rio Gila, but that of Bill Williams Fork, and the Virgin River, and that he did not stop until he got to the entrance of the Grand Cañon of the Colorado River, which is thirty-six degrees and some minutes of latitude, is altogether an impossibility.

Don Juan Rodriguez Cabrillo, a Portuguese captain in the service of the King of Spain, reconnoitered in 1542 and 1543 the whole of the western coast of California, which he ascended as far as the 44th degree of latitude, naming on his way Cape Mendocino (or Mendoza) in honor of the viceroy of New Spain.

Notwithstanding the discoveries of Uloa and Alarcon, many geographers maintained that California was an island, and the maps of the sixteenth and seventeenth centuries, and even of the commencement of the eighteenth, show various opinions upon this important geographical question. Upon some, California is indicated as a peninsula, upon others as an island, and generally the oldest maps of the sixteenth century are the most correct.

In like manner the map of the world, by Sébastian Cabot in 1544, that of Gérard Mercator in 1569, and that of Abraham Ortelius in 1570, all indicate that California is a peninsula. Even the maps of Michel Mercator in 1631, and of New France by the Jesuit father Louis Hennepin in 1683, make it a peninsula.

But from the beginning of the middle of the seventeenth century the idea that California was an island generally predominated. It is thought that the author who did the most to make that opinion prevail was the Dutchman Joannes Janssonius of Amsterdam, who, in his atlas of the maritime world, gave a map borrowed, as he says, from the Spaniards, in which California is represented as an island. All the geographers began to copy it. So upon the maps of North America, by Nicolas Sanson, from 1650 to 1669, we read the *island of California;* in like manner upon the maps of Jallot, 1674–1675; upon that of Potin of 1689, and upon that of William Berry (North America) published in 1680.

The geographer Du Val, in his maps of America in 1655, 1676, and 1679, shows the *island of California*, which he prolongs up to the Straits of Anian or Anien (which has later become the Straits of Juan de Fuca). Vanden-Aa, about the middle of the seventeenth century, gives also an island. Danckerts, of Amsterdam, in his *America Nova Descriptio*, 1661, represents, in like manner, California as an island, and so does the geographer Allard in the middle of the seventeenth century. The Dutch geographer

Blaer, who represented California as a peninsula in 1662, made it an island in 1659 and in 1670.

New Mexico, by Coronelli in 1680, represents California as an island. The large and magnificent globe of the same geographer dedicated to Louis XIV in 1683, and which is preserved in the National Library at Paris, also shows California as an island. The same author writes upon a map published at Venice at the close of the seventeenth century, "*Isola di California.*"

Nicolas de Fer, who had made this error in a map in 1698, perpetuated it even up to 1717, when in his map entitled "*Amérique divisée selon l'étendue de ses principales parties,*" he still gives the island of California limited on the north by the North Strait and terminated at the south by *Cape St. Luc* (Cape Saint Lucas).

Of all the geographers at the close of the seventeenth and commencement of the eighteenth century, Guillaume Delisle, first geographer of the King of France, Louis XIV, is the one who has shown himself the most sagacious. In a letter to M. Cassini, without date, but which must have been written about the year 1698, and which was published at Amsterdam by Jean Fréderic Bernard in the "*Recueil de voyage au nord,*" Delisle shows a mind filled with sound criticism and a clear knowledge of facts touching California. Delisle, after having well considered the matter, stated that he thought it prudent to leave blank, as unknown, that part of the globe, and to make California "*neither an island nor a part of the continent,*" and to await something more positive before arriving at a decision. He did not have to wait a long time, for in his map of North America dated 1700, Delisle joined California to the continent, and he maintained that California was a peninsula in his map of 1702. It is evident that after the commencement of the year 1700 Guillaume Delisle must have received information of the discovery, by the Jesuit father Kino, of the passage by land from New Mexico to California which this missionary had made during the year 1698.

Beginning with the maps of Guillaume Delisle, the truth triumphed. Soon all map-makers adopted his opinion and made use of the famous discovery of Father Kino, joining California as a peninsula to the American continent.

The map of Father Kino is not only very important on account of its giving with considerable accuracy the head of the Mer Vermeille, or Gulf of California, but as locating and showing a great number of the villages, missions, pueblos, rivers, and mountains of Sonora and of New Mexico (the part known now as Arizona), and of Lower California, or, properly, Old California.

Having taken part in an expedition to California, in 1683, under the command of Admiral Don Fridoro d'Atondo, Father Kino explored a part of California, crossing it from the east to the west on the 26th degree of latitude, from Loreto to New Year's Harbor, following the Rio San Tomas, now the Rio de la Puríssima, and the Boca de la Puríssima. (See account of the landing of Spaniards in California in 1683, translated from the Castilian, in Vol. III of Collection of Voyages to the North, by J. F. Bernard, Amsterdam.)

I have already given the true origin of the name of California in a report on the geology of a portion of Southern California. (See Annual Report upon Geographical Survey West of the One hundredth Meridian, 1876, by Lieut. George M. Wheeler, in the Report of the Chief of Engineers, Washington, 1876, page 386.)

Cortès and his companions, struck with the difference between the dry and burning heat they experienced, compared with the moist and much less oppressive heat of the Mexican *tierra caliente,* first gave to a bay, and afterward extended to the entire country, the name of *tierra California*, derived from *calida fornax,* which signifies fiery furnace, or hot as an oven. Hernan Cortès, who was moreover a man of learning (since he was a bachelor of law of the University of Salamanca), was at once strongly impressed with the singular and striking climatical differences presented by various parts of the empire of Montezuma, and it is to the great conqueror, Hernando Cortès, Marqués del Valle, to whom is due that remarkable and so very appropriate classification of the Mexican regions into *tierra fria, tierra templada, tierra caliente,* and *tierra California.*

The word *California* alone has passed into use to designate a purely political and geographical division, probably on account of the isolation and remoteness of this part of New Spain.

The excessive heat of the California peninsula is now well known, since thermometric observations have been made at Fort Yuma and at La Paz. These two localities, from one of which the name of California originally sprang, are the hottest parts of the two Americas.

The author who first employed the name of *California* was Bernardo Diaz del Castillo, an officer who had served under the orders of Cortès. He applied it only to a bay believed to be *Bahia de La Paz*, where Hernan Cortès repaired on leaving the bay of Santa Cruz. Thence the name was extended to the whole country nearly to the mouth of the Columbia River in Oregon.

The bay of Santa Cruz bears now the name of *Bahia del Muertos* on account of the massacre of the pilot Ordoño Ximenès, together with Captain Becerra de Mendoza and some twenty Spaniards, who were all killed by the Indians.

Upon the maps of the eighteenth century this bay is designated under the name of the *Bahia de los Palmas.*

Abraham Ortèlius, on his map of 1570, entitled "*America sive novi orbis nova descriptio,*" wrote at the point indicating Cape Lucas the name *C. Cali, formia,* with an *m* instead of an *n,* which was evidently an error of the engraver added to an error in position, since Cortès gave the name to a bay and not to a cape.

The same geographer, in the first edition of his atlas, *Theatrum Orbis Terrarum,* gives, in a map dated 1570, and entitled "*Tartario sive Magni Chami Regni,*" California as a peninsula with the name C. Californio, which is a new variation of the word California, with an *m* and an *o.* Moreover, Ortèlius wrote upon the coast at nearly its correct place the name of *Sierra Nevada.*

MAY 10, 1878.

3

CALIFORNIA:

ITS CHARACTERISTICS AND PROSPECTS.

Written by Rev. Horace Bushnell, D. D., and published originally in the
"New Englander."

SAN FRANCISCO:
WHITTON, TOWNE & CO., PRINTERS AND PUBLISHERS.
South West Corner Clay and Sansome Streets.
1858.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

CALIFORNIA,

ITS CHARACTERISTICS AND PROSPECTS.

WHOEVER wishes, for health's sake or for any other reason, to change the sceneries or the objects and associations of his life, should set off, not for Europe, but for California. And this the more certainly, if he is a loving and sharp observer of nature; for nature meets us here in moods entirely new; so that we have even to make her acquaintance over again; going back, as it were, to be started in a fresh childhood. All our common, or previously formed impressions, calculations and weather-wisdoms are at fault. We find that we really understand nothing and have everything to learn. We begin to imagine, for example, that her way is to be thus, or thus; or that her operations are to be solved in this, or that manner, but we very soon discover that it will not hold. Our guess must be given up and we must try again. A person who is at all curious in the study of natural phenomena, will be held in a puzzle thus for whole months, and will nearly complete the cycle of the year, before he seems to himself to have come into any real understanding with the new world he is in; just as if he were sent on a visit to Jupiter, and wanted to sail round the sun with him, for at least once, and feel out his year, before he can be sure that he understands a single day.

California being to this extent a new world, having its own combinations, characters, and colors, it is not to be supposed that we can make any reader acquainted with it by words of description. The most we can hope to accomplish is, that by giving some notes on its physical and social characteristics, we may excite a a more curious and possibly a more intelligent interest in California life, and the certainly great scenes preparing to be revealed in that far off, outside, isolated state of the Republic. It is not to be supposed that every particular representation or suggestion we may offer will be verified by the experiments and exact observations of science, or by the tests of moral and economical statistics ; we only look on with our mere eyes, giving our impressions, and venturing what guesses and possible applications may occur to us.

The first and most difficult thing to apprehend respecting California is the climate, upon which, of course, depend the advantages of health and physical development, the growths and their conditions and kinds, and the *modus operandi*, or general cast, of the seasons. But this, again, is scarcely possible, without dismissing, first of all, the word *climate*, and substituting the plural climates. For it cannot be said of California, as of New England, or the Middle States, that it has a climate. On the contrary, it has a great multitude of them, curiously pitched together, at short distances, one from another, defying too, not seldom, our most accepted notions of the effects of latitude and altitude and the defences of mountain ranges. The only way, therefore, is to dismiss generalities, cease to look for a climate, and find, if we can, by what process the combinations and varieties are made ; for when we get hold of the manner and going on of cause, all the varieties are easily reducible.

To make this matter intelligible, conceive that middle California, the region of which we now speak, lying between the head waters of the two great rivers, and about four hundred and fifty or five hundred miles long from north to south, is divided lengthwise, parallel to the coast, into three strips, or ribands of about equal width. First, the coast-wise region, comprising two, three, and sometimes four parallel tiers of mountains, from five hundred to four thousand, five thousand, or even ten thousand feet high. Next, advancing inward, we have a middle strip, from fifty to seventy miles wide, of almost dead plain, which is called the great valley ; down the scarcely perceptible slopes of which, from south, to north, run the two great rivers, the Sacramento and the San Joaquin, to join their waters at the middle of the basin and pass off to the sea. The third long strip or riband, is the slope of the Sierra Nevada chain, which bounds the great valley on the east, and contains in its foot-hills, or rather in its lower half, all the gold mines. The upper half is, to a great extent, bare granite rock, and is crowned at the summit with snow, about eight months of the year.

Now the climate of these parallel strips will be different almost of course, and subordinate, local differences, quite as remarkable, will result from subordinate features in the local configurations, particularly of the seaward strip or portion. For all the varieties of climate, distinct as they become, are made by variations wrought in the rates of motion, the courses, the temperature, and the dryness of a single wind, viz, the trade wind of the summer months, which blows directly inward all the time, only with much greater power during that part of the day when the rarefaction of the great central valley comes to its aid ; that is from ten o'clock in the morning until the setting of the sun. Conceive such a wind, chilled by the cold waters which have come down from the Northern Pacific, perhaps from Behring Straits, combing the tops and wheeling through the valleys of the coast-wise mountains, crossing the great valley at a much retarded rate, and growing hot and dry, fanning gently the foot-hills and sides of the Sierra, still more retarded by the piling necessary to break over into Utah, and the conditions of the California climate, or climates, will be understood with general accuracy. Greater simplicity in the matter of climate is impossible, and greater variety is hardly to be imagined.

For the whole dry season, viz, from May to November, this wind is in full blast, day by day, only sometimes approaching a little more nearly to a tempest than at others. It never brings a drop of rain, however thick and rain-like the clouds it sometimes drives before it. The cloud element, indeed, is always in it. Sometimes it is floated above, in the manner commonly designated by the term cloud. Sometimes, as in the early morning, when the wind is most quiet, it may be seen as a kind of fog bank resting on the sea-wall mountains, or rolling down landward through the interstices of their summits. When the wind begins to hurry and take on less composedly, the fog becomes blown fog, a kind of lead dust driven through the air, reducing it from a transparent to a semi-transparent or merely translucent state, so that if any one looks up the bay, from a point twenty or thirty miles south of San Francisco, in the afternoon, he will commonly see, directly abreast of the Golden Gate, where the wind drives in with its greatest power, a pencil of the lead dust shooting upward at an angle of thirty or forty degrees, (which is the aim of the wind preparing to leap the second chain of mountains, the other side of the bay,) and finally tapering off and vanishing, at a mid-air point eight or ten miles inland, where the increased heat of the atmosphere has taken up the moisture, and restored its complete transparency. The wind is so cold, that one who will sit upon the deck of the afternoon steamer passing up the Bay, will even require his heaviest winter clothing. And so rough are the waters of the Bay, land-locked and narrow as it is, that sea-sickness is a kind of regular experience, with such as are candidates for that kind of felicity.

We return now to the middle strip of the great valley, where the engine or rather boiler power, that operates the coast wind in a great part of its velocity, is located. Here the heat, reverberated as in a forge or oven, whence *Cali—fornia* (*Caleo* and *fornan*) becomes, even in the early spring, so much raised that the ground is no longer able, by any remaining cold there is in it, to condense the clouds, and rain ceases. A little further on in the season, there is not cooling influence enough left to allow even the phenomena of a cloud, and for weeks together not a cloud will be seen, unless, by chance, the skirt of one may appear now and then, hanging over the summit of the western mountains. The sun rises, fixing his hot stare on the world, and stares through the day. Then he returns as in an orrery, and stares through another, in exactly the same way. The thermometer will go up, not seldom, to 100 or even 110 deg., and judging by what we know of effects here in New England, we should suppose that life would scarcely be supportable. And yet there is much less suffering from heat in this valley than with us, for the reason probably that the nights are uniformly cool. The thermometer goes down regularly with the sun, and one or two blankets are wanted for the comfort of the night. This cooling of the night is probably determined by the fact that the cool sea-wind, sweeping through the upper air of the valley, from the coast mountains on one side, over the mountains and mountain passes of the Sierra on the other, is not able to get down to the ground of the valley during the day, because of the powerfully steaming column of heat that rises from it; but as soon as the sun goes down, it drops immediately to the level of the plain, bathing it for the night with a kind of perpendicular sea breeze, that has lost for the time a great part of its lateral motion. The consequence is, that no one is greatly debilitated by the heat. On the contrary, it is the general testimony, that a man can do as much of mental or bodily labor in this climate, as in any other. And it is good confirmation of this opinion, that horses will here maintain a wonderful energy, traveling greater distances, complaining far less of heat, and sustaining their spirit a great deal better than with us. It is also noted that there is no special tendency to fevers in this hot region, except in what is called the *tule* bottom, a kind of giant bulrush region, along the most depressed and marshiest portions of the rivers.

Passing now to the eastern strip or portion, the slope of the Nevada, the heat, except in those deep cañons where the reverberation makes it sometimes even insupportable, is qualified in degree, according to the altitude. A gentle west wind, heated in the lower part of the foothills by the heat of the valley, fans it all day. At points which are higher, the wind is cooler. Here also, on the slope of the Nevada, the nights are always cool in summer; so cool that the late and early frosts leave too short a space for the ordinary summer crop to mature, even where the altitude is not more than 3,000 or 4,000 feet. Meantime, at the top of the Sierra, where the west wind piling up from below, breaks over into Utah, travellers undertake to say that, in some passes it blows with such stress as even to polish the rocks, by the gravel and sand which it drives before it. The day is cloudless on the slope of the Sierra, as in the valley, but on the top there is now and then, or once in a year or two, a moderate thunder shower. With this exception, as referring to a part uninhabitable, thunder is scarcely ever heard in California. The principal thunders of California are under ground.

We return now to the coast-wise mountain region, where the multiplicity and confusion of climates is most remarkable. Their variety we shall find depends on the courses of the wind currents, turned hither and thither by the mountains; partly also on the side any given place occupies of its valley or mountain; and partly on the proximity of the sea. Sprinkled in among these mountains, and more or less enclosed by them, are valleys, large and small, of the highest beauty. But a valley in California means something more than a scoop, or depression. It means a rich land-lake, leveled between the mountains, with a sharply defined, picturesque shore, where it meets the sides and runs into the indentations of the mountains. What is called the Bay of San Francisco, is a large salt water lake in the middle of a much larger land-lake, sometimes called the San José valley. It extends south of the city forty miles, and northward among islands and mountains twenty-five more, if we include what is called the San Pablo Bay. Three beautiful valleys of agricultural country, the Petaluma, Sonoma, and Napa valleys, open into this larger valley of the Bay on the north end of it, between four mountain barriers, having each a short navigable creek or inlet. Still farther north is the Russian River valley, opening towards the sea, and the Clear Lake valley and region, which is the Switzerland of California. East of the San José valley, too, at the foot of Diabolo, and up among the mountains, are the large Amador and San Ramon valleys, also the little gem of the Suñole. Now these valleys, which if we except the great valley of the two rivers, comprise the plow-land of middle California, have each a climate of their own, and productions that correspond. We have only to observe further, that the east side of any valley will commonly be much warmer than the west; for the very paradoxical reason that the cold coast-wind always blows much harder on the side or steep slope even, of a mountain, opposite or away from the wind, than it does on the side towards it, reversing all our notions of the sheltering effects of mountain ridges.

Nothing will so fatally puzzle a stranger as the observing of this fact; for he will doubt for a long time, first, whether it be a fact, and then, what possible account to make of it. Crossing the Golden Gate in a small steamer, for example, to Saucelito, whence the water is brought for the city, he will look for a quiet shelter to the little craft, apparently in danger of foundering, when it comes under the lee of that grand mountain wall that overhangs the water on the west. But he is surprised when he arrives, to find the wind blowing straight down the face of it, harder even than elsewhere, gouging into the water by a visible depression, and actually raising caps of white within a rod of the shore. In San Francisco itself, he will find the cold coast-wind pouring down over the western barrier with uncomfortable rawness, when returning from a ride at Point Lobos, on the very beach of the sea, where the air was comparatively soft and quiet. So, crossing the

Sonoma valley, he will come out into it from the west, through a cold windy gorge, to find orange trees growing in Gen. Vallejo's garden, close under the eastern valley wall, as finely as in Cuba. In multitudes of places too on the eastern slopes of the mountains, he will notice that the trees, which have all their growth in the coast-wind season, have their tops thrown over, like cock's tails turned away from the wind. After he has been sufficiently perplexed, and stumbled by these facts, he will finally strike upon the reason, viz, that this cold, trade wind, being once lifted or driven over the sea-wall mountains, and being specifically heavier than the atmosphere into which it is going, no sooner reaches the summit than it pitches down as a cold cataract, with the uniformly accelerated motion of falling bodies. Then as confirmation, it will occur to him, perhaps, that he has been seeing it demonstrated all summer long, from his residence on the opposite or eastern side of the Bay; where, during all the fore part of the day, and sometimes for the whole afternoon, he has noticed a fog cap, or cloud rolling over the distant top of the western mountain, and driving more than half-way down the hither side of it, before it has caught sun enough or heat enough to become transparent.

Having gotten the understanding of this fact, many things are made plain. For example, in travelling down the western side of the Bay from San Francisco to San José, and passing directly under the mountain range just referred to, he has found himself passing through as many as four or five distinct climates; for, when abreast of some gap or depression in the western wall, the heavy wind has poured down with a chilling coldness, making even an overcoat desirable, though it be a clear, summer day; and then, when he is abreast of some high summit, which the fog-wind sweeps by, and therefore need not pass over, a sweltering and burning heat is felt, in which the lightest summer clothing is more than enough. He has also observed that directly opposite the Golden Gate, at Oakland, and the Alameda point, where the central column of this wind might be supposed to press most uncomfortably, the land is covered with growths of evergreem oak, standing fresh and erect, while north and south, on either side, scarcely a tree is to be seen for many miles; a mystery that is now explained by the fact that the wind, driving here square against the Contra Costa or second range, is piled and gets no current, till it slides off north and south from the point of quiet here made; which also is confirmed by the fact, that, in riding down from San Pablo on the north, he has the wind in his face, finds it slacken as he approaches Oakland, and passing on, till southward to San Leandro, has it blowing at his back.

The varieties, and even what appeared to be the incredible anomalies of the California climates, begin at last to be intelligible. The remarkable contrast, for example, between the climates of Benicia and Martinez, is clearly accounted for. These two places, only a mile and a half apart, on opposite sides of the straits of Carquinez, and connected by a ferry, like two points on a river, are yet more strikingly contrasted, in their summer climates, than Charleston and Quebec. Thus the Golden Gate column, wheeling upon Oakland, and just now described, sweeps along the face of the Contra Costa chain in its northward course, setting the few tree tops of San Pablo aslant, as weather vanes stuck fast by rust, and drives its cold sea-dust full in the face of Benicia. Meantime, at Martinez, close under the end of the mountain which has turned the wind directly by, and is itself cloven down here to let the straits of Carquinez pass through, the sun shines hot and with an almost dazzling clearness, and all the characters of the climate belong rather to the great valley cauldron, whose rim it may be said is here.

Equally plain now is the solution of those apparent inversions of latitude, which at first perplex the stranger. In the region about Marysville, for example, he is overtaken by a fierce sweltering heat in April, and scarcely hears, perhaps, in the travel of a day, a single bird sing as if meaning it for a song. He descends by steamer to San Francisco, and thence to San José, making a distance in all of more than two hundred miles, where he finds a cool, spring-like freshness in the air, and hears the birds screaming with song even more vehement than in New England. It is as if he had passed out of a tropical into a temperate climate, when, in fact, he is due south of Marysville by the whole distance passed over. But the mystery is all removed by the discovery, that instead of keeping in the great valley, he broke out of it through the straits of Carquinez into the Bay valley, and the cold bath atmosphere of the coast-wise mountains; that now he is in fact within twenty miles of the sea, separated from it only by a single wall, while at Marysville, he was more than a hundred miles from the sea, with four or five high mountain tiers between them.

Thus much for the summer climate of California. The winter climate is the trade wind reversed. The Sierra is covered with snows of incredible depth at the top, and they extend even down to its foot, whitening also, not seldom, the great valley, which is much colder, at this season, than the coast-mountain region. Temperature, in short, is inverted, just as the winds are. The temperature in San Francisco, for example, ranges generally between 60 and 70 deg., as in the summer between 65 and 80 deg.; though the cold of experience will be scarcely greater in the winter than in the summer, because, in winter the air is comparatively still, and in summer adds a cooling effect by its motion. Probably there is not a more even climate in the world. Now and then the thermometer will sink low enough, at night, to produce a thin scale of ice; but geraniums will be seen in full blossom, on the terraces of the gardens, throughout the winter.

It is hardly necessary to say that this westward return of the trade winds brings the rainy season. All the rain of the year is from it. It sometimes blows too with terrific violence, and pours even cascades of rain for whole days together, producing immense floods; though generally the whole amount of rain which it brings is much too small for the supply of the springs and due moistening of the soil for the year. It is not to be understood that what is called the rainy season is a season of continual rain. It is scarcely more rainy, if at all, than our three autumnal months. And at about the mid-point of the season, or in the month of February, there is commonly a suspension, which separates what may be called the early from the latter rain, as in Palestine. This month of February is, in fact, the most lovely, and in many respects, the most beautiful month of the year. The green of the landscape is then freshest, the air is soft, the sky clear, the roads neither wet nor dusty—all the conditions of comfort and beauty meet, to crown it as the June of the Pacific.

If now it should appear that we have spent too much time on the winds and meteorological phenomena of California, it is sufficient to answer, that while such an impression would be right if New England were the subject, it is not right when the subject is California. The winds of our eastern shore are a confused mixture, of which nothing can be predicated with certainty, except the uncertainty of the weather. The Pacific winds, on the other hand, are very nearly calculable quantities; and by them are determined, to a great degree, the temperature of places, the rains, the seasons, the almost uniform salubrity of the country, (for with all its varieties there is probably no healthier region on the globe,) the growths also, as respects both their rates and kinds, and further still, the immense commercial advantages; for California, as we shall by and by see, is elected for the great metropolitan centre of the commerce of the Pacific, quite as much by its winds, as by the magnificent harbor, whose Gate is here set open to let the ships fly in, as doves to their windows, from all the seas of the world. The gold of California, taken as a determining cause and physical endowment of its future, is not once to be compared with its winds. They are more necessary, by a thousand times, to the greatness of California than the mines. If any one judges from our description, that they are too cold, or too strong, or too much laden with moisture, he will greatly mistake. If they were warmer, softer and more dry on the coast, even by a few degrees, it would greatly injure the country and might even be a fatal blight on its prospects. Indeed, if California has any prospects, it is just because the light baffling winds, or rather no winds of the coast below, are here displaced by such blasts as have power to drive across its whole width and fan it with their cooling breath. Otherwise its rich valleys and lowlands would be arid deserts, its shores and rivers reeking places of disease, and even in its mining region too hot to be worked or even inhabited, in the summer months.

Having gotten our advantage therefore, in a due understanding of the winds and climate of California, our description may now proceed more rapidly. The scenery of California depends partly on the surfaces and partly on the seasons. It differs from our eastern shore, in the fact that it is made up of concave or scooped surfaces, flowing into convex summits or rounded surfaces only to a very limited extent; all the valleys being plains, or land-lakes, with definite indented shores, like shores of water. It differs also from the western prairies and the plains of the south, where the horizon is sunk and the sky becomes a small inverted bowl, in the fact that every spot, even in the widest of the valleys, has a mountain wall and horizon visible in the distance, which props the sky and lifts the vault of it, giving a look of airiness and expansion, and connecting impressions even of grandeur and beauty. Mountain and plain, plain and mountain, stretching generally coastwise in their figure, make up the rough calico of the surface. Sometimes the mountains are bare, or nearly so, showing a mottled look in the distance, where the sun, glancing down their sides, burnishes the points and casts a shade on the hollows. Here the cattle on a thousand hills are no figure; for the hills are pastures, covered many of them with a rich growth of grass and wild oats even to the top, and the cattle paths, beaten like shelf rows in their steep sides, just save them apparently from sliding off into the abysses, making every rod of pasture accessible and permitting them finally to emerge, as the triumph of their engineering instinct, on summits two thousand, or even three thousand feet high, where they are seen from below in clean relief of the sky. Sometimes again the montain sides are covered with a dense chapparal, appearing in the distance just as they would if darkened by a forest; save that, now and then, the chapparal is of a most intense, transparently green color, showing a summit that emerges into the sun, when surrounded by the driving clouds below, like a huge pile of emerald. Sometimes the distant summits are seen to be covered with a growth of redwoods, that stand posted there as giant sentinels, every trunk distinctly visible, and altogether, two hundred or three hundred feet high, combing the sky in dark relief upon it, giving to the horizon thus a most peculiar look of spirit and majesty. The lower half of the Sierra Nevada, comprising the foot hills and the whole mining region, is covered extensively with a timber growth of pines, cedars and other evergreens. The upper half is bald, ragged granite, the highest peaks of which are covered a great part of the year with snow. All the mountains differ from those of the east, in the fact that they are seamed or furrowed from the tops downwards, every few rods, by a ravine or water course. These ravines are many of them dry in the summer, though generally, or at least frequently, displaying a green line of shrubbery and trees in their course, which makes them very conspicuous from a distance; especially when the mountains are bare on their general surface. These ravines, too, are often cut miles deep into the hills, becoming immense chasms, cañons or gorges, out of which all the earth has been swept, to fill the rich valley bottom and make up the land-lake deposit of the plain. All the mountains accordingly are flanked by spurs with intervening gorges, and these again by spurs, and these again by the same; so that, standing on the side of some grand amphitheater, the spectator may sometimes see that he is on the spur of a spur even in the fifth degree; all of which spurs run together, like pig iron castings in a furnace, only with a more disorderly complication. Hence, too, the impossibility in California, as we may here remark in passing, that any railroad should ever get over a mountain, as with us, by skirting along its sides till it has made the ascent; for such a line would be cut by the side cañons, or gorges, from a hundred to a thousand or even two thousand feet deep, every half mile. There is no way but to follow up the bottom of some great cañon, or river gorge, until it becomes too steep, and escape by a tunnel; or else to find some spur whose back can be ascended, and keep it to the top.

From these general descriptions of the surface it will be naturally inferred that there is a great deal, both of beautiful and of grand scenery, in California. Few countries are richer in their varieties, and none more peculiar in all. Here sleeps in quiet, earthly beauty the rich vale of Sonoma, backed in rough grandeur by the towering Diabolo, a picture in a frame. Here in the deep chasm or angle that foots the Yo Hamite Falls, a river is beheld pitching off a summit twenty-four hundred feet high, and by two leaps, reaching the bottom; type, as it were, of heaven's mercy pouring from the sky. Here on the other hand, at the Geysers, in the cracking, cannonading, whistling and roaring of steam, and spouting of hot mud, and the brimstone fumes of the place, we look on a field, under which we may well enough imagine the infernals, sweltering and tearing, as it were, diabolically, to break loose. At the Big Trees, we enter a dell quietly lapped in the mountains, where the domestic vegetable minarets are crowded, as in some city of pilgrimage; there to look up, for the first time, in silent awe of the mere life principle.

The scene of the city and bay, from the high background of the city, is one that any lover of nature might travel far to see. The same reversed, from the east side of the bay, at Clinton, is more remarkable. In the unalterable green foreground, are the oaks of Oakland and Alameda; here and there flows a strip or armlet of water; next comes the Bay, in the middle, with its picturesque islands; beyond are the City, and the open Gate, showing the Farralone Islands far off to sea; right and left each side of the Gate, the grand sea-wall of mountains stretches north and south, for a background, at least fifty miles—it is not the bay of Naples, the dreamy softness and quiet luxury are not here—but with more severity, the scene unites a higher spirit and beauty as much more impressive and brilliant. The Gate itself, cleaving down the mountains to let the commerce of the Great Ocean of the world pass in, has a look of destiny in it strong enough to be sublime.

There is a little valley owned by a wealthy and respectable Spanish Californian, Mr. Suñole, which is commonly called by his name, and is occupied as a pasture ground or ranch for his herds. It lies over among the Contra Costa, or second range of mountains east of Mission San José, and is entered by a pass some four hundred feet above the valley bottom, which comprises about a thousand acres. Through this valley bottom runs a clear, rapid stream, which in the spring would be called a river, and which, wheeling round to the northwest, cuts the mountain to its base, dashing through one of the wildest gorges that can be conceived, fifteen hundred feet deep, and hurrying off into the Bay. On the north rises a huge bare summit two thousand feet high. On the southwest the Mission Peak, twenty-five hundred feet high. On the southwest, across the narrow wooded gorge through which the river breaks into the valley, other fantastic peaks three thousand feet high. On the east the enclosure is made by a low, steep range of naked hills showing others higher and still higher behind them. A stranger, fresh arrived in May, at the Mission, takes his horse, for example, the next morning, and finding a road that turns into the narrow gorge or opening of the hills near by, goes in to explore a little and find whither it leads. The steep, smooth-faced hills, or rather mountains, pile in with rounding fronts on either side, just leaving a passage between; and they are so lighted up by the sun brushing down their translucent surfaces of green, and tuned to such wild harmony by their many-colored flowers, that sight overflows, and he begins unwittingly to listen; as if there must be something audible, some hymn or note of Memnon in the scene. Passing a low summit, the beautiful valley opens to view, and such a combination of colors no eastern man or European has ever seen or conceived. The green is not what we call a grass green. Neither is it the pale bluish green of England, but a soft yellow green, covering the whole landscape—the steeps even to the summits, all the roundings and hollows, as well as a rich floor of the valley bottom — like an immense carpet of plush spread over the scene; which carpet is so matted with flowers in all the highest colors, sprinkled sometimes in groups, that we call it by this name without any effort of fancy — we can think of nothing else. No painter, practised in our common styles of scenery, could manage at such a picture, without much study, assisted probably by many failures.

Descending next into the valley, he finishes out the picturesque of the morning, in looking on a scene quite as new and peculiar as the scenery. In the extreme southern angle of the plain, just where the river issues from the gorge of the mountains, he observes a cloud of dust rising, and horsemen rushing wildly through it in all directions. Something brisk is evidently going on here, and he must needs leran what it is. Approaching the spot he discovers an immense herd of cattle brought together from the hills, which the owners and their herdsmen are either sorting by their marks, or which else they are sorting out, in sale of a part, for the market — they are Spanish, native Californians all, and do not answer English questions. This at least is plain, that they are gathering out of the great herd of a thousand or more, to make up another and separate herd a short distance off, and the lasso practice is the power. Riding into the herd and through it, they chase out one, turning him towards the new herd. But he runs by, and back into the herd, or he strikes out into the plain, in some other direction. But the pursuer is after him. Round and round swings the fatal loop or noose above his head as he goes, till he gets in reach, at three or four rods distance, when he lets it fly, and it drops with a kind of astronomic certainty round the poor animal's horns. Feeling it fast upon him, the animal now turns upon his persecutor, and it is convenient for him also to fly in his turn — only keeping the cord still fast to the horn of his saddle. Another horseman follows immediately, and another lasso drops and is drawn fast. Now the animal, in a line between the two pursuers, strikes off, throwing his whole momentum, if he can, upon the straight line, at right angles to it, which gives him advantage enough to unhorse both of them, if they let him come to the blow. All three, therefore, now are in a race together, and as soon as this is seen, a third horseman is in pursuit, and throwing his lasso, he picks up a hind leg of the ox as he runs, doing it as easily as a knitter might take up a fallen stitch. This done, while the two others are spreading right and left, he darts off sideways at a prick of the spur, and jerks the refractory beast flat upon the ground; where he lies bellowing in fright and despair, held fast by three cords, at three angles, as little able to escape as a fly in a spider's web. Next a huge, fiery bull is seen rushing out of the herd, pursued by a small, sharp looking herdsman, who says, by a certain look of his eye, that he will show the green stranger a trick. Bolting into the plain, the mettlesome, tall animal, leads off in a race which puts the horse to his best speed. But as the pursuer comes up with him, he seizes the tail of the renegade, streaming level behind him, winds it by a quick turn round the horn of his saddle, and darting off suddenly by a spring, as if it were done by some concussion of gunpowder, he jerks the bull flat down and rolls him clean over! Whereupon there is a shout from all — but the bull; who gets up, as it were, in an effort of self-recollection, and walks off meekly where they show him the way.

We only add, as regards the scenery in California, that everything is here inverted which we commonly assume in respect to the effects of culture. Culture improves nothing. California was finished as a world of beauty, before civilization appeared. The magnificent valleys opened wide and clean. The scattered oaks stood in majesty, here and there, and took away the nakedness. Civilization comes, cuts down the oaks for firewood, fences off the plains into squares, covers them with grain or stubble, scatters wild mustard over them, it may be, and converts them into a weedy desolation. The only attractive looking surface ever to be seen in California, is the native original surface; for there is never to be a lawn, or a neat grassy slope, as with us, because there is no proper turf. Shrubbery itself can never be made ornamental in California, except where there is irrigation to maintain it. Where there is irrigation, a garden or house lot may be covered in with trees and set off with flowers, so as to be really fresh in beauty at all times; but this is not the kind of beauty that makes a landscape. In the mining country, the natural beauty of the scenery is defaced by another process. Here a thin but stately growth of evergreens is sprinkled over the generally graceful slopes and rounds of the hills, and a pure crystal leaps along down the trough of the hills, over cliffs of rock and pebbly beds. But the miner comes. Finding gold that will "pay" in the soil, he rents a head of water from the ditch company, whose ditch bringing on the water from some level far up in the Sierra, flows it along from hill top down to hill top, and across from one hill to another, leaping hollows and ravines on wooden tressel-work, sometimes even two hundred feet high, till it reaches a point abreast of his placer, and directly above it. Bringing it down the hill in immense cotton hose, with a nozzle pipe like that of a fire engine, he plays it into the side of the hill, with a pressure perhaps of one hundred and fifty feet fall; tears down the hill, acre by acre, and floats it off, rolling the loose stones with it down his wooden trunk or sluice, in which the gold is arrested, and so continues, till he has carried off a large section of the hill-side, even a hundred feet deep. His neighbors are doing the same thing right and left. Pits are also sunk downward, and tunnels bored in level into the sides of the hills, and the earth from so many burrows, is piled at their mouths.

The trees are cut down for timber and firewood. The stream of the valley runs thick with creamy richness, and the cliffs and pebbly beds are covered fifty feet deep with stones and mudwashings. The result is a most horrid desolation, of which every line of the natural beauty is gone forever. If some camp of demons had been pitched here for a year, tearing the earth by their fury, and converting it to the model of their own bad thought, they could hardly make it look worse. The whole mining region is finally to become a desolation in just this manner. There is no possibility of a process more delicate for extracting the gold. Indeed there seems to be a kind of prior necessity, which nature must needs recognize, that gold and desolation go together. What we see then, at the mines, only represents too faithfully what holds good historically in the moral desolations of plunder, fraud, and avarice, instigated by this treasure of the mountains. The only part of California, in short, that will not be damaged in its scenery by the arrival of culture, is the broken country of the coast region, or the region of natural pasturage; except that possibly the artesian wells may be carried so far as to irrigate a considerable part of the valley surfaces. Thus while there is almost no stream running through a valley bottom in the summer, because every issue from the mountains sinks immediately into the gravel beds of the plains, and runs under, it may turn out generally, in the narrow valleys, as in that of San José, that artesian wells, sunk two hundred or three hundred feet, will bring it up, spouting into liberty on the surface. Two or three of the wells in this town throw a column nine inches in diameter, ten or fifteen feet high, discharging water enough to turn a mill, and of course to irrigate a large surface.

It will doubtless occur to many, that the dry season of the year, which is the summer, must be a season of utter desolation as regards the scenery. What can be more desolate than a universal dry death? And if the water-runs, or ravines, are green; if the chapparal on some of the mountains, and occasionally trees in the plains, that have the faculty to bore deep for their water, show a semblance of life; if the gardens which are irrigated show a patch of luxuriance here and there, like an oasis in the yellow desert, what after all is the landscape but a desert? Suppose then it were to be covered with snows two or three feet deep, and every solitary thing stripped of its green, would the scenery be less desolate? But this is our winter. The wintry, or suspension time of California is in the summer, and the winter months of the almanac are dressed in the richest, freshest green. And yet the Californians speak of beautiful scenery in the summer, and any one who has been there a few months begins to sympathize with them. Trees and chapparal are stronger marks on the landscape than with us; green spots, such as watered fields and gardens, have a fascinating freshness. And even the dry surfaces, in certain lights, make a picture, by aid of the shadows on the hollow surfaces, and the occasional green of trees and chapparal and gardens, that is really beautiful. The little valley just described, for example, puts off its green and puts on a dress of drab, velvety and soft in the glancing strokes of light, and becomes for all the world a neat Quarker bonnet; only that the deep blue green of the gorges, and the lively green ribands that hang down the water courses are a little too dressy and fantastic, and suggest a case of sumptuary discipline. The most that can be said of the Pacific hybernation time is, that while our winter is absolute, unconquerable desolation, the Californian can go into his garden, turn on the water, make an outdoor green-house of it, filled with all richest fruits and singing birds, and there wait patiently till the months of green return.

The growths of California are as peculiar as their climate. To make this subject intelligible, let it be understood that where there is no irrigation, natural or artificial, nothing grows perennially in California, except trees that have a tap root, and shrubs and grasses that have some peculiar kind of root that enables them to get sufficient moisture, where only a little is given. There is a coarse perennial grass, for example, that is found, when dug, to grow out of perpendicular rootlets eight or ten inches long, which themselves grow out of large horizontal roots, that serve as water cisterns or sponges for the uses overhead. None of the common upland, or hay grasses, live through the summer, and therefore none make what can be called a turf. The grasses of every season are started in November, from the ripe seeds dropped into the chinks of the ground, in the dry season previous. It results accordingly, that no crop can be raised in California which does not ripen before the dry season commences, or by about the first of June. The only exceptions possible to this are made by irrigation, either where water is artificially supplied, or where, as will sometimes be the case, there is a supply from stores, or filterings underneath. It is only under these conditions that a crop of Indian corn or potatoes can be raised; though an early crop of potatoes, ripening in June or July, can be raised anywhere; and where the ground is sufficiently moistened from below, two crops a year are frequently grown upon the same soil. Potatoes of the late crop are grown too in some places near the coast, where they get moisture enough from the atmosphere and the fog, to answer their purpose. A summer garden will commonly make but a poor figure, unless it is recruited by supplies of water not contained in the natural soil of the place. The dry season is, in fact, the wintering season of vegetation, though it is the summer. Whatever lives, hybernates, rests. The strawberry, for example, ripens its fruit in April, has its growth, ceases, begins to look rusty, and passes into the state of suspension, finally to die. Let on now a flow of water, and it wakes, blossoms again, bears another crop, and passes into another suspension, and then is ready to be wakened and bear a third crop. And so by alternating in times with different beds, a succession is kept up, and a bountiful supply is obtained from April to November.

The principle growths or products of California are, accordingly, the fruits and the cereals. Most of the fruits really want irrigation, though there are many tracts of soil in which they will flourish without, and will not ripen prematurely. The fruits are grapes, figs, olives, pomegranates, almonds, plums, apricots, pears, peaches and apples. Finer grapes are grown nowhere in the world. The apples are large and fair, and wonderfully precocious in bearing, but there is reason to suspect, from experiments made in the old mission gardens, that they may be short lived. Peaches, plums, and pears bear only too profusely. Indeed, there is a wonderous tendency to fructification in every kind of growth, animal and vegetable. As yet, the fruits sell at enormous prices, because of the shortness of supply. In a very few years they will be plenty and cheap. And even now there is no city on the earth, where the fruit shops make as fine a show as in San Francisco. Considering the size, the fairness, the varieties, and all that goes to make a show of richness and profusion, there is probably nothing in the world to match the displays of fruit in this new city of the Pacific.

But the great agricultural crops of California are the cereals, wheat, and barley, and oats. These are sown at any time, when it is both wet enough and dry enough to plow, between November and March; harvested any time between the ripening of June and the rain-falls of November; for they will stand uninjured, or lie, as left by the reaper, and without shelling, all that time; so that a small force suffices both to raise and to harvest a large crop. And the yield is from twenty to sixty bushels of wheat to the acre, subject to no contingencies but wet and premature drought, which latter only shortens the crop. Even one hundred and forty bushels of barley have been harvested on a single acre. Oats are said to degenerate in the seeding, but we have seen the stalk even twelve feet high. These crops again, will sow themselves for a second crop the next year, and that will yield more than any crop sown in the Western or Atlantic States. Sixty or eighty bushels have been gathered from the volunteer crop of barley. This, in fact, is one of the evils to be encountered by California agriculture, that every crop perpetuates itself as a weed; so that no good wheat crop, for example, can be raised on a field once sown with barley, till the barley is exterminated; and one barley-sowing will sometimes yield three or four volunteer crops that are worth havesting. Even potatoes will perpetuate themselves in the same way. Change of crops, therefore, is difficult. When the problem accordingly is raised, how or by what process exhausted soils are to be restored in California, it is not easy now to answer; but some process will be doubtless discovered in due time. In many cases this exhaustion will come to pass slowly; for the good soil is not unfrequently two, and three, and sometimes eight feet deep. A piece of ground sown regularly with wheat for sixteen years, has been known to yield forty bushels and more to the acre. A single deep plowing, probably enough, would make it good for another sixteen years.

As regards the enormous growths of California, it should be understood that they are not ordinary. The ordinary fruits, for example, are not larger than ours, and where the trees are overloaded, are commonly small. The extraordinary growths appear to be easily accounted for. First, there is a soil too deep and rich for any kind of growth to measure it. Next, there is either a natural under-supply of water, or an artificial irrigation. Next, the settings of fruit are limited. And then, as no time is lost in cloudings and rain, and the sun drives on his work unimpeded, month by month, the growth is pushed to its utmost limit. So a pear will occasionally be produced weighing three and a half pounds, or an apple tree, or a cherry will grow a stem ten or twelve feet high in a season. The mammoth turnips, onions, beets and cabbages, depend on a like occurrence. But these are freaks, or extravagances of nature — only they are such as can be equalled nowhere else. The Big Trees depend, in part, on these same contingencies, and partly on the remarkable longevity of their species. A tree that is watered without rain, having a deep vegetable mold in which to stand, and not so much as one hour's umbrella of cloud to fence off the sun for the whole warm season, and a capacity to live withal for two thousand years or more, may as well grow three hundred and fifty or four hundred feet high and twenty-five feet in diameter, and show the very centre point or pith still sound, at the age of thirteen hundred years, as to make any smaller figure with conditions proportionally restricted.

The agricultural capacities of California, it will be seen, are very great as regards the rate and facility of production. The only drawback now experienced is in the want of a reliable and sufficient market. The mines and the cities are now the principal consumers. The result is, that if the product is a little short, the prices rise extravagantly, because there is no other supply. On the other hand, if it is a little over the demand, the prices fall as extravagantly. And then, as the producers are flying always towards that which yields the best reward, every kind of product is likely to be overgrown in its turn, and so the prices become even more capricious, for the reason that they are capricious. When markets are opened by an outside commerce, as they will be, and when all the whaling ships are fitted and sent from San Francisco and Puget Sound, the mischief will be repaired. At present, owing to this caprice of the market, agriculture is scarcely less of a venture than mining.

Accordingly the attention of land-owners is now being turned, more than before, to pasturage. The old Spanish breed of cattle is giving way to the new cultivated breeds most valued here, and large ranges of land are taken up in the hill regions, where immense herds of from one to ten thousand head of cattle are collected, which are yielding a rich revenue to their owners. These herds are kept sometimes wholly without fodder, and generally with very little. They fatten most in the summer, when the feed is dry, and only suffer when the falling rains have rotted the old growth, and have not yet sufficiently started the new. Hence it is common to burn over a considerable portion of the ranges, just before the rains, that the cattle may be able to get access to the first sprouting of the seeds, at the earliest moment possible. The air, accordingly, is filled with smoke for many days; the mountains are flaming round the horizon day and night, as if the last day had come, and horsemen are rushing hither and thither to fight off the fires from the wheat fields and the pastures of the plains. And then the result is, that the yellow, yellow, ever yellow hills that were, as soon as good rain has sprouted the seeds, come forth — green out of black — and the body of the high burnt hill or mountain, is turned to a beryl, without so much as a twig or a weed-stalk, to mar the color. This great interest of pasturage promises even to exceed the plowing interest in importance. The home market for it is equally reliable, and the salted and dried meats, the hides, the tallow, and wool, are products that can take the world for their market.

The culture of the grape, too, promises much. Whether it can be successfully prosecuted without irrigation is doubtful, though it is well known that old, deep rooted vines will bear a crop without. It is commonly believed that California is hereafter to become the great wine growing country of the Pacific.

With so many advantages, it is impossible that California should not become one of the richest countries in the world, on the score of its mere land interest and the products yielded by its soil. It has garnered up also, in the soil itself, treasures that no other can boast. It will take a thousand years to wash over all the pay dirt of the gold mines. It is computed also to have, in a single quartz lead, more gold, five times over, than is owned by the whole world ; and other veins are being opened, almost every month, which are ready to yield great revenues of profits as soon as they are worked. The quartz mills, once supposed to be a failure, are now so perfected as to yield immense profits, almost without exception. The waters too of the mountains are a great wealth, and the thirty or forty millions already invested in the ditches ought to be yielding a great revenue, as much of it already is. Besides, there are mines of quicksilver, such as make all other mines in the world comparatively worthless; deposits of borax, rocks of alum, hills of sulphur, quarries of marble, beds of coal and of iron — in short, there was never a country so underlaid with treasure of every kind.

The commercial advantages are not yet developed, and will not be, till the Pacific shores are lined with new nations, and the untold riches of their natural resources are brought into the circulations of trade. Even if a railroad were built across the continent, it is not likely that any very great amount of merchandise, or any but the most precious forms of merchandise, would pass that way. Probably there is a greater amount of expectation vested in such an improvement, than the actual experiment will justify. The distance is too great, the grades too heavy, (as heretofore reported,) the running expenses too enormous, to allow the freight of common articles of trade. And yet California is on the great water highway of the Pacific, and her Gate the certain goal of its travel. For it is remarkable that this Golden Gate is at the southmost limb of the variable trade winds, and that these, blowing in a little north of east, will drive a ship directly out to China, directly in from China — whichever way they blow — laying a straight course on one of the great circles of the earth ; while immediately south of the Gate the winds begin to change character, and are much less available for sailing purposes, and continue to be so, even down as far in the south latitude as to Valparaiso. Thus to sail a ship up the western coast of the continent, from Panama to San Francisco, would probably require a whole summer, and even that might not suffice for the passage. No ship can ever approach that shore by sail without falling into a contest with currents, which the light baffling winds and doldrums make it difficult to maintain with success. To get in is difficult, to get away more difficult. And hence perhaps it is, at least in part, that one may pass down that whole stretch of coast, a distance of three thousand miles, in one of the California steamers, and actually not see on the passage so much as a rag of sail of any description. On the other hand, at Puget Sound, the only available harbor ground on the north, the winds blow off the coast with such violence that vessels after pounding there for weeks together, till the crews were quite worn out, have returned to San Francisco to fit for a new trial. Besides in the winter-trades, which are from the northeast, a vessel sailing from China for the Sound will have the whole distance to make with a wind directly against her; while she might lay her course for San Francisco and straight in, without once shifting her sails.

Nature, it will thus be seen, has set her seal on San Francisco, appointing it to be the great commercial centre of that coast and ocean. Here rests the future axis of motion. Indeed it is hardly extravagant to imagine that, in some distant age, when the enterprise and resources of that ocean, with its islands and coasts, are fully developed, the Atlantic commerce will be a thing by the way, an affair of the outskirts.

All such expectation, it is obvious, must depend, in a great degree, on the political and moral condition of California. And here one very great danger happily is already past, viz.; the introduction of human slavery. There is no State in the Union where slavery could be worked to greater advantage than in California. Connected with this fact, we have also the concomitant fact, that the office holders and political operators of the State have very generally been men from the south. To understand, therefore, even after the fact, how it is that slavery is excluded, is what any stranger will accomplish with the greatest difficulty. No inquiries he can make will quite solve the riddle. Some have spoken of the known weight of laboring and money making classes being always opposed to slavery, and silently constraining the politicians, who were not, to respect their position. Some have ascribed much to the personal influence of Colonel Fremont. Others have given the credit of the fact mainly to Captain Halleck, sometimes called the father of the constitution, a gentleman of weight and capacity, who is known to have been the draughtsman of many of its provisions, but has since that time given himself wholly to his profession as a lawyer, and withdrawn himself altogether from the game of political life. Be it as it may, slavery is forever excluded from California, and so from that whole coast; and that without even so much as a word of debate; for this article of the constitution was simply read and passed by consent, in absolute silence. What a fact of history, this, to be the child of silence!

California unites in its population great elements of diversity. The fifty thousand or sixty thousand of Chinese simply stay as foreigners. The native Californian or Spanish race, comprises gentlemen of real respectability, wealth, and character; but the inferior class of herdsmen and retainers that were, are more wild and vicious, and really more hopeless, than before the change of masters. They live on horseback, without contracting any friendship with their horses, which might raise them a little. They are cruel to animals of all kinds, cowardly to superiors, ignorant, superstitious, frivolous, with little prospect of being advanced to anything better hereafter.

A considerable part of the emigration to California since we took possession, is made up of persons from the extreme west, who crossed over by the plains — the class who are call Border Ruffians with us, and which there are called, more or less derisively, Pikes, from Pike county in Missouri. They are by no means any such desperate or ruffian class of people as they are just now commonly regarded here. They are, for the most part, uncultivated and rough, crude in their notions of religion, and like all such people, coarse in their prejudices; but they have great honesty and frankness, their impulses are strong, and generally magnanimous. They really contain the staple qualities or possibilities of a high character. They have true manhood, which is not to be said of every people.

Another element of the emigration is from the southern and southwestern States, comprising many gentlemen with their families, who are a great accession to the society and manners of the cities, and particularly of San Francisco; and with these a much larger, or at least noisier class of broken down politicians, who have fled, as it were, to California, to farm the voters and offices of a new world, where their stock of capital has not yet been exhausted. The former class comprise men who appear, like Mr. Stanly, to have emigrated rather to get away from political life, and to apply themselves to other pursuits. The latter, trained to public speaking and the management of assemblies, and having this for their trade, have hitherto been able to obtain almost all the offices of the State, and have distributed the rewards of office to themselves, in a scale of unexampled liberality. Happily there was an end to the credit of the State, and that limit has been finally reached. The bankrupt people, too, are beginning to ask questions they had no time to ask before; competitors also are coming into the field, whose morality and trustworthiness in other relations have been already proved. The dynasty of plunder, therefore, is rapidly coming to an end.

Another large class of the emigration is from New England, New York and the middle and north-western States. And these again are in two classes. First, the merchants, bankers, lawyers, engineers, surveyors, and many of the head miners—men who have come to California as to a field of enterprise, and who bend all their energies to the particular personal calling that engages them. Secondly, a class of reprobates in all styles and degrees, who find their way to California just because they are not wanted anywhere. These are the fugitives from justice, the absconding bigamists, the felons and prison-birds who want a new field where they are not known, defalcators, pimps, shoulder-strikers and prize fighters, drunkards, sons that could not be endured at home, and vagabond gentlemen whose friends have been willing to escape the burden of their support, by giving them an outfit for some very distant region. These and such like characters were turned for a time, in shoals, upon California. But the pistol, the knife, the halter, bad liquors, and the Vigilance Committees are scattering them rapidly and killing them off. They flourished for a time, as the under-fighters and ballot-box operators of the politician class just referred to; assuming the alliance to be one of natural good-fellowship, inasmuch as they too use the tools of honor themselves. But their trade is gone; they cannot even be drunk in the streets, or draw a knife out of their pocket, without a painfully certain prospect of appearing in the chain gang the next morning. Meantime, the former and better class above named, with many of the better class from the South, are building churches, organizing institutions, looking after charities, and showing more and more distinctly that the great hope of California is in them. They will even consent to serve on juries, and some of them also to be named for public offices of trust and power, which formerly they would not. Time is giving them the controlling position, as by a kind of necessary process, and even compelling them to assume it.

The composition, or the combined elements of the emigration, it will be seen, are not favorable to the immediate coalescence of the new state, in terms of order and public virtue. Besides a good many hostile influences of a more special character, it will be easy to perceive, concur in detaining or holding back the new community, from the kind of civil administration necessary to its good name and social comfort.

Thus, in the mining towns, are gathered large bodies of men, without wives or children, living as cenobites in their dens, and no one needs to be informed that men, living separately from women, are sure to make a large stride towards barbarism. The occupation of mining is also more adventurous in itself, than consists with the best habits of application; for if the digging is a venture, why should there not be a venture at the gaming table, without the digging? It is not unfrequent that the placer mining gives out, and it is known to be always more or less precarious. Hence many of the towns are mere encampments, and are called "camps." And some that assumed to be more are already given up and nearly forsaken. Hence the miners become more or less migratory themselves, and their towns are too nearly so, many of them, to be much cared for, either in the building, or in the establishment of social and religious institutions. A stranger, too, will see a very distinct and significant character in the names given to places; such as Yankee Jim, Fiddletown, Jackass' Gulch, Whisky Bar, and a whole hundred names, of which these are the choicer specimens. It appears to be the general opinion, that there is a decided moral and social improvement in the mining population. But one who has attended church for two Sundays, in a mining town of the very first order, finding about forty persons present to hear a good Christian sermon, and passing in the street when returning from church, in both cases full five hundred men, who had rushed together as spectators of a street fight, will hardly think it possible that there should have been a very great moral improvement there.

Agriculture, too, has been connected in California with unwonted and even wholly peculiar causes of moral deterioration. The titles to land have many of them been so uncertain, or so far unsettled by frauds and charges of fraud, that there has been a natural reluctance in emigrants to incur the risk of a loss, in purchasing the soil. Hence, also in part, the very peculiar kind of squatting that has come into vogue in California and probably a full half of the agriculture of the State, either now or at some former time, has been carried on as an operation of squatting in this manner, viz., by taking possession of lands generally known to be vested in private owners by title derived from the Mexican government, and not in the United States as in other new territories, where the laws of Congress authorize the occupation and make it a legitimate act. An American purchaser, for example, buys one of the old Mission properties, comprising a tract seven or eight miles square, of the very best land in California, and everybody knows the title to be perfect, because the land has been held and occupied by the Mission for more than fifty years. He expends over $100,000 in fencing it, and the property rises in value so rapidly, that he begins to be rated and to rate himself as being worth, at least a million dollars. But behold, a cloud of squatters suddenly appears pouring in upon his lands, squatting inside of his fences and among his wheat, erecting their tents or huts, and leaving him to pay the taxes, while they reap the harvests. He is now the bankrupt purchaser, and they are the occupants, till at least six or eight years of litigation, terminated at Washington, have established the title to his creditors, which everybody knew was in himself. Meantime they have gotten the use of the rent for so many years, which is to them a handsome outfit. The old native Californians are treated in the same way. No chapter of wrong and oppression, in which our countrymen have had their part, is more sad or revolting. Even between the old ranchero's house and wall, the squatter has taken his post and set up his hut. Then, assuming also that the cattle are wild, as that the lands are public, the squatter wanting a steak has taken his rifle and killed an ox. And so the poor herdsman has been stripped both of lands and herds, by the remorseless Sabeans, and that with airs of indignity and low-bred consequence more difficult to bear than the robberies themselves. The truculent savage spirit generated by these land-piracies, will be readily understood. The tragedy of young Suñole is happily an extreme instance. He was a gentleman, educated as we have heard in Paris, equal if not superior to most of the educated Americans. But he ventured to remonstrate very gently with a squatter for cutting down the trees of his father's exquisite valley, and selling them for wood, giving him liberty at the same time, to cut what he wanted for himself; but the next time he passed by, on his way over the ranch in company with a friend, the savage came out with his rifle, got him in range as he threw himself over the side of his horse, and drew him dead to the ground. Sheltered and secreted by others like himself, he could never be found. As the titles are now being settled by the decisions of the courts, the squatters are gradually yielding to the law and becoming purchasers. All these wrongs will gradually be a thing of the past.

By the very latest advices, it appears that the squatter combination is just beginning to yield some respect to the decisions of law. Heretofore the owners, in establishing their title, have commonly got possession, but only a right to pay the taxes. Indeed, this third estate of squatterdom had sufficient power in the legislature, two years ago, to get a law enacted requiring owners, when dislodging or ejecting them, to pay for the improvements according to the appraisal of a committee from the precinct; a plan by which they expected to get back the value of the land, for the appraisers would be squatters almost of course. Happily the courts would not execute the law. And but a year since, the venerable patriarch of the Napa valley, who came over from Missouri as a trapper more than forty years ago, having finally established his old homestead title, comprising eight or ten thousand acres of the best land in the State, was evidently beginning also to find a much harder question on his hands, viz., how to move the squatters without periling his life. And yet, among the land-pirates called squatters, are a great many persons from the East, and even from Massachusetts and Connecticut; and what is more, from our Christian churches; and some of them appear even now to be seriously minded and conscientious in their life. Because the same word, *squatter*, is used to designate this known act of robbery, (for it is often such and nothing else,) they really suppose that they are doing the same lawful and right thing, which is practised under the acts of Congress, in the West.

As the mining and agriculture of California appear, thus far, to have been connected with unpropitious moral influences, so also it has been, even to a much greater degree, with the trade of politics. Composed of elements so various and repellant, it was not to be expected, for a time, that there would be much confidence in public men or proceedings. And the moral character of the political operators and office holders, was generally of a kind not to inspire confidence. They were gamblers, debauchees, drunkards, men who lined their bosoms not with virtue, but with knives and pistols. They were just such men, in short, as could never be in confidence, even if they violated no trust. The bullies they had in their employ, as inspectors of the ballot, could not swear to a true count and be believed. Juries were distrusted, because the panel was so easily made up, to include one whom the criminal on trial might "hang" to stand out for him in the verdict. The judges were such characters that they plainly ought to be bribed, if they were not. Administrators and trustees were suspected, as being appointed by the connivance of judges. Legislators and governors were distrusted also. This distrust became, in due time, a torment to the public peace, by its uncertainty; and none the less a torment that the worst rumors and suspicions were most likely to be true; till finally everything bad began to be true; and the public prints made it a point of heroism in dealing out their accusations with unsparing boldness. A stranger could hardly guess what it meant. Every print was for California. Nothing too laudatory could be said for it; meanwhile, as if a paradasaic whole could be made up of diabolical particulars, the sweeping denunciations of individuals appeared to leave no honest man in it. And what was more remarkable in all these accusations, was that every charge made against judges or others of bribery or of fraud was given circumstantially; names, dates, amounts, agents, all stated with exactness. Probably a very considerable share of these charges of bribery, and perjury, and fraud, were true. But the misery was, that no one could guess which. Society was dissolved and law was reduced to an instrument of suspicion. It was a state most bitter and even horrible. Whether their facts were only suspicions and rumors converted into facts by repetition, or real and veritable truths of history; whether it was the licentiousness of the press or its uncommon fidelity, or whether, possibly, it was not all the fatality which attends every community where confidence is gone, no one could know, or satisfactorily judge. Be it as it may, out of this general distrust and demoralization came the Vigilance Committee. It was raised by the torture that exasperates society when confidence is gone. So far not to sympathize with it is impossible, and the more that almost all the better citizens were in it. Even Christian professors left the church and the communion to be in the outbreak, and to bear arms in that vast congregation, gathered as a thunder-cloud round the jail, on the distant hill side.

It is not our design to discuss the Committee. Suffice it to say that their intent was good, their proceedings honest and carefully deliberate, and their military conduct admirably decisive and efficient. Their great fault was that they did not see their point exactly, and offered reasons for their action a great deal worse than their action. If they had undertaken, not to administer the laws, or take them back into their own hands, but to restore the laws by plucking down the usurpers, who stood in no right of law, being elected only by the perjury of the inspectors, their question would have been greatly simplified. Then, because of the almost impossibility of convicting the perjured inspectors, by any ordinary proceedings of law, they would only have done it by extraordinary; and it would have been all the better if, to make a due impression of this crime, as the greatest of all crimes, they had sacked the whole tribe, be they many or few, and sunk them in the bottom of the Bay. Doing this, instead of resuming functions, the right of which strikes at the root of all constitutional government, they need only have insisted on some extraordinary means of restoring functions already taken away. The whole experiment was critical, more critical than our eastern communities know; for there was a time, a terrible twelve hours, just after the release of Judge Terry, when the question of a new Executive Committee, who should be more efficient and bolder, i. e., more bloody, was pending and apparently just ready to be carried by the whirlwind of passion outside, which new committee, if it had not been dexterously avoided, would have been like the new committee of Paris, and similar scenes would probably have followed. The escape was narrow; so narrow that if the leading gentlemen concerned had now the question of a new Vigilance Committee on hand, they would probably hesitate long. And yet it must be granted for the honor of this same questionable, perilous adventure of reform, that San Francisco is probably now the best governed city in the Union. The laws are now enforced, the economies are duly attended to, there is no plunder, and every evil doer stands in fear. It is the beginning, apparently, of a great moral reaction, which is felt by the whole State. Whatever may be true, therefore, of this great popular movement, whether it is right or wrong, wise or unwise, it will be impossible ever to turn it as a reproach on the certainly patriotic men who were foremost in it. They are much more likely to be celebrated hereafter, with Harmodius and Aristogiton, and other great leaders of mutiny that have been deliverers of their country.

We state these facts concerning the moral aspects of mining; the occupation by force of lands known to be held by legal right; and the usurpations, and perjuries, and briberies of political intriguers and demagogues, connected with the general destruction of confidence, and the necessary throes of violence by which they must inevitably be redress-ed, not as being, in themselves, any picture of California. We know they are not. They are only facts, without which any description is rose colored and without sound verity—such facts as will meet a stranger first, because they are most outstanding and impressive. And for this the reader will make due allowance, even as in reading history; for it is not the virtues, and the smooth and silent flowings of goodness that make up ever the staple of history, but the explosive wrongs and outrages rather, by which the evenness of good was disturbed. For ourselves, we regard these facts not with any feelings of despair or discouragement. On the contrary, we perceive a certain sublimity in the contest here begun, and the clearing process going forward, which creates appetite to us. We know the certain victory, we see it coming, and we envy especially those young heroic spirits who have set themselves, in the love of God and their newly adopted State, to such works of duty and sacrifice as are necessary to the sublime future they have in prospect.

Opposite to these facts we have stated others which awaken our respect and inspire our confidence. They have a good and able ministry, for example, such a ministry as will compare favorably, in all denominations, with any of the older States. They have churches in every denomination, not inferior to the churches here. The attendance is good, especially in the cities, and the order, the dress, the music, are only too much evened by the manner of the East.

The Sabbath also is becoming a more established institution, and to be without a Sabbath, as a day of rest, is more and more distinctly felt to be an oppression. And therefore the traders and shopkeepers, in most of the country villages, are petitioning the Legislature, more earnestly every year, for the establishment of a complete suspension of trade.

Education is not forgotten. The towns and cities are allowed by statute to tax themselves for this purpose, and many of them do it most liberally. The public schools of San Francisco are not inferior to those of our Eastern cities—many think them even superior.

There is no reason to apprehend any loss of natural vigor and tone from the climate on that shore. Some have taken it as a bad indication that the Digger Indians (the aboriginals of California) are the most spiritless and abject of all known tribes on the continent, and about the lowest specimens of humanity found upon the earth. But this may be sufficiently accounted for by the general softness of the climate and the fact that they have never been required to feed themselves by the manly exploits of a hunter life; having always at hand enough of bugs, and fish, and sugar pine bark, to serve their purpose. Sometimes also a degree of discouragement has been derived from the analogical or symbolical fact, that there is not a stick of smart, hard timber in all California; nothing out of which an axe-handle, or a spoke, or a felloe could be made; every hardest, soundest tree, being brittle to such a degree ("*brash*," they say in California, and in New England "*spalt*,") that the trunk will probably break asunder five or six times when it is felled, and lie as a pile of fragments on the ground, even though it is three feet in diameter. Is this a natural token, some have asked with a little feeling of superstition, that the future men of California are to be only a brittle or brash stock, and without any real timber of endurance in them? Why any more a token than the giant pines, and redwoods, and cedars, are a token of prodigiously tall men, a race at least twelve or fifteen feet high? Why any more than the often naked hills and plains are a token of no men at all? What other sign do we in fact require that all the future stock of California will be a stock of high capacity, than that the climate is healthy, the growths bountiful, and that we are capable ourselves of the greatest endurance there, both bodily and mental, and have, in fact, a sense of robustness that we have nowhere else?

At the same time it requires no gift of prophecy to perceive in the physical resources and commercial advantages of the country, that an immense wealth is, in due time, to be developed there; such wealth as will give vigor to all institutions and works that require expense, and put everything on a scale of breadth and magnificence. If there is any country in the world where the future men are not to be cramped and whittled by close restrictions, it is California. At present the Californians say that they are poor; they feel poor, because they are now at the dead point of retrocession, where their extravagant expectations are being shortened in for that second beginning which every new State and city has to make. And yet there is nothing more wonderful, with all this depression, than the amount of wealth already created on that shore. How many thousand years of day labor, has it taken simply to build so many houses, fences, shops, steamers, ditches, towns, and cities. Three of these cities, San Francisco, Sacramento, and Marysville, have so much of city life and character that we hardly recognize their newness. And yet only nine years have passed since all this immense wealth began to be created!— and that five thousand miles away, on the shore, as it were, of another continent.

There is good and cultivated society in California such as there never has been in any other State in the Union. The number of liberally educated men is greater by far than was ever found in any other State twice the same political age. Carpets, good beds, clean tables, bright knives and forks, courtesy, hospitality, public entertainments and pleasures on a footing of civilizotion — all these indications of comfort and society are widely diffused. One sign or token of this kind we cannot forbear to mention, because it signifies much. Passing hither and thither on the little steamers, up to Marysville, to Stockton, to the towns north of the bay, where often the number ef passengers did not exceed thirty, we have seen, again and again, a table most neatly set, the silver bright and clean, the meats well prepared and good, without any nonsense of show dishes, the servants tidy, quiet, and respectful — in short, the whole figure of the entertainment more rational and better than we have ever seen, either on the boats of the Mississippi or the Atlantic coast. Such facts indicate society, more than any most splendid entertainment gotten up by private opulence can.

One other consideration must be named, if California is to be well understood, viz: that with all the violence and savage wrongs, and dark vices that have heretofore abounded there, they seldom do a mean thing. They can perpetrate real atrocities, but they must be generous. A considerable part of their blameable profusions comes of their extreme jealousy of littleness, or meanness. Men really poor will often share their last dollar in helping a sick friend, or even a sick stranger. If a poor minister, whom they have only seen at their funerals, is known to be on short allowance, they will have a ticketed supper, not unlikely, to him; which, if it is not the best way of establishing religion, does at least show their generosity. If a preacher asks the privilege of addressing them in a gambling saloon, on Sunday, they are very likely to accede, to hear him respectfully, pass round a hat and make up a liberal purse for him, then put down their stakes and resume their play! The recent vote of the people to assume and pay the State debt was an act of pure magnanimity. Here was a debt of $5,000,000, the creation of which was expressly forbidden by the Constitution of the State. This provision of the Constitution was known, discussed, openly understood, and the loan was obtained directly in the face of it. The money, too, had gone for nothing but to feed the political vampires for whose plunder it was raised; and the State has not a vestige of property to show for it, but some old benches that belonged to the State House at Vallejo. If then a people have any right, by Constitution, to guard themselves against being plundered by their rulers, the people of California had a right to stand upon the restriction so prudently established in their Constitution, and were under no obligations, whether of right or of honor, to pay this debt — to refuse was no act of repudiation. But their instincts were too generous, they had too much pride of feeling to insist on their right. Where Mississippi raised a quibble to get off her honest debt, California took a gratuitous obligation to get it on, and to fasten it.

There remains a single topic to which, in the conclusion of our article, already too far extended, we must briefly refer, viz: to the effort now on foot to establish a College or University in California. The heaviest detraction, after all, from the future prospects of California, is in the fact that so many only go thither as adventurers, not meaning to stay, and that so many, often the most prosperous, are continually returning. And they do it, in great part, because they cannot educate their families there, as their means allow them to desire. In the first place, many never take out their families for this reason, and in the next place, when they have done it, and their sons are grown up to the age at which they begin to want the best advantages, they return with them, and are so lost to the State as a family; for the distance, and the moral perils of a separation from parents are so great, that there is no alternative but a reëmigration. This begets an unsettled feeling in those who remain, which makes them careless often of the good of the State, and besides it carries off a large per centage of the wealth created; for the families that return are commonly such as have been most successful, and all which they have gained they carry with them. And the probability is, that if the contemplated railroad were built across the continent, (which it will not be for a long time to come,) it would scarcely help them at all, but might rather hasten them in this losing process.

What they want, therefore, at this time, above all things else, is a good College, or University. Such an institution would do more to consolidate and settle their State, and to settle the confidence of their future, than even the railroad itself. There are no five States together, in our western world, which, if they had none at all, would want an institution of this kind so much as California. For the supply of this want, some of their best and ablest men are preparing. They have had a charter for three years, organizing the "College of California." Their Board of Trustees contains a representation of all the Christian denominations, who are united in cordiality and good understanding. They are said lately to have fixed on their site—on the eastern side of the Bay, opposite San Francisco. They have had a preparatory school for three years past, under the tuition of Rev. Henry Durant, an accomplished scholar and a Christian, and the design is to organize a Freshman Class the coming autumn.

What then is now wanted is the endowment, and for this everything is ready. To obtain this endowment in California, except in part, will now be impossible. Much of the wealth is not in the right hands; and where it is not, where there is every disposition to aid, the possibility is very much reduced by the heavy loads of debt, which many who ought to be rich are required just now to carry. When money will bring three per cent. per month, year by year, on perfect security, the lending party is not likely to put much of it in a College, and the borrowing party still less. Are there no great men in the East, no millionaires or less in computation, who will be induced to look at such an opportunity? Had we the fortune of but half a million in our editorial hands, we are quite sure of this, that whoever might want to assume the endowment of such an institution would have to be very quick in his action, or he would lose the chance. What an opportunity for a man of fortune, who has no object in life, no family to provide for, or none but such as are already rich enough, and who would be greatly more ennobled, by his name and example, as the founder of such an institution, than by all his property without a name. How many such too, are there, who are really meaning, when they die, to accomplish some great work with their money! Why not do it when they are living, and have a satisfaction of a consciousness enriched, and a heart enlarged by their beneficence? To have one's name on such an institution as this, connected with the great history, and with all the learning, and all the most forward influences of this New World on the Pacific, is a thought which might quicken the blood even of a man most sluggish and dull. For it is to win a greater honor, by many times, than the President of our great Republic. That is an honor, which, as the line grows longer, loses more and more its significance, till finally, it will signify as little to have been one of the Presidents as to have been one of the Doges of Venice. But the other, like the names of Harvard and Yale, will brighten and gather to itself a greater weight and power, as long as the tongue itself may exist. And the satisfaction one may have in this honor is sublimely justified in the fact, that he is not merely to be known, or mentioned in the future ages of the world — that might be a very common ambition, for who is there who does even naturally desire as much?— but is permitted to know that his name is to be a power, and to work for all the coming ages, growing brighter and doing more good than he himself while living. That is a legitimate and glorious ambition — the highest that a mortal can cherish. The Trustees, in the Appeal they published a year ago, placed the subject thus:

"Could some rich citizen, who can do it without injury to himself, step forward at this time of our beginning, and set his name upon the institution itself, by the side of a Harvard or a Yale, by subscribing a large part of the proposed endowment; giving us an opportunity, assisted by his beginning and example, to carry up the subscription even to the highest point we have named, he would be enriched by the sense of his munificence, as no man ever was or can be by the count of his money. We have no delicacy in respect to the customary honors conferred by universities, when they set the names of the benefactors on the halls, libraries and professorships endowed by their munificence; or when they drop the dry, impersonal name of their charter for one that represents the public spirit, and the living heart of a living man who could be more than rich, the patron of learning, the benefactor and father of coming ages. There are monuments that may well provoke a degree of ambition; not even an Egyptian pyramid raised over a man's ashes could so far ennoble him, as to have the learning and science of long ages and eternal realms of history superscribed to his name. And yet this better kind of monument is itself a power so beneficent, that he ought, even as duty, to desire it, and for no false modesty decline it. Such monuments are not like those of stone or brass, which simply stand doing nothing; they are monuments eternally fruitful, showing to men's eyes and ears what belongs to wealth, and what the founders of the times gone by have set as examples of beneficence."

Vol. I.—No. 1. Price 15 Cts.

CALIFORNIA MISCELLANY OF ECLECTIC LITERATURE.

Saturday, July 14, 1860.

CONTENTS:

	PAGE.
Inaugural Address	1
Sketches and Studies in Russia.—from National Magazine	2
Biographical Sketch of Sir William Herschel	7
Her First Appearance—Household Words	10
The Cameronian Dream—Edinburgh Magazine	16
The Wedding	18
Mr. Harris in Japan—Philada. Ledger	21
Orphan's Voyage Home—Household Words	25
Mr. Rarey's System of Horse-Taming—London Dispatch	25
Wellington's Account of Waterloo	27
Old Poetry	28
Scraps and Anecdotes	29 to 32
Answers to Correspondents	32

AGENTS:
H. J. BIDLEMAN, SACRAMENTO.
J. W. SULLIVAN, SAN FRANCISCO.

The California Miscellany

IS PUBLISHED EVERY FORTNIGHT, AND

MAY BE HAD OF ALL BOOKSELLERS.

Subscribers supplied on application to the EDITOR CALIFORNIA MISCELLANY, SACRAMENTO, on the following terms, payable in advance:—

Per year $3.00. Six Months, $1.50. Three Months, $1.00—Free by Post.

☞ Postmasters are requested to act as Agents.

This Number being published ONE WEEK IN ADVANCE, *the Second Number will bear date* "AUGUST 4th, 1860."

EMPIRE STOVE FOUNDRY.

Let the Public patronise their Pockets and encourage Home Manufacture.

WE ARE NOW PREPARED TO FURNISH COOK Stoves of the various sizes and most improved patterns, at terms which defy competition. Also, extra Stoves, Agricultural and Ornamental Castings furnished at the shortest notice and lowest rates.

Having procured a superior article of Moulding Sand, we are able to execute the most delicate Castings in a manner unrivaled by Eastern manufacturers.

All in the Trade are invited to call and see.

OLD CAST IRON taken in exchange for Stoves or other work, at the HIGHEST CASH PRICES.

If you want a GOOD STOVE, get the "CALIFORNIA ENTERPRISE" an excellent and popular stove, which we are now manufacturing, and will warrant to give satisfaction. ☞ Please call on Messrs. LORD, HOLBROOK & CO., on J Street, between Sixth and Seventh, who have the exclusive Agency of our wares, or at the Foundry on Front Street, between N and O Streets, Sacramento.

McWILLIAMS & CO.

Importers and Dealers in

CHOICE WINES

AND

BRANDIES.

WE ASK THE ATTENTION OF PURCHASERS to our large and well selected stock, which will be sold at the lowest market rates, consisting in part of Martel Brandy, and other brands; Jamaica, St. Croix and New England Rums; choice old Madeira; Claret of the finest quality; genuine Scotch and Irish Whiskies—pure and old, and

Finer than any heretofore in this Market.

☞ Alsop's and Barclay's Bottled Ale and Porter.

McWILLIAMS & CO.,
Nos. 46 and 48 K Street, Sacramento.

JUSTIN GATES & BROS.

WHOLESALE DRUGGISTS

72 K STREET AND 208 J STREET,

SACRAMENTO.

WE ARE CONSTANTLY RECEIVING LARGE IMportations of

Fresh Drugs, Paints and Oils, Perfumery, Soaps, Brushes, Toilet Articles, Etc., Etc., Etc.

Which we are selling at greatly reduced prices. Country orders solicited.

Physicians' Prescriptions accurately compounded at all hours.

G. L. WATERS,

Attorney & Counselor

AT LAW,

Office on Fourth Street, next to the Post Office,

Room No. 1—Up Stairs,

SACRAMENTO.

Matches. Matches. Matches.

THE BEST, THE CHEAPEST, AND HOME MANUFACTURED.—We are manufacturing an article which we guarantee to suit the consumer, and all selling them, at lower prices than they can be imported.

DEALERS, ORDER THEM!

Either direct from us, or the jobbers of San Francisco, Sacramento, Marysville, or Stockton. We warrant them to suit, or will refund the money.

AGENTS—A. L. Edwards & Co., San Francisco; H. S. & J. C. Ransom, Marysville; D. W. Blackleach, Stockton.

Factory on Levee, foot of Q Street. Office 142 J Street, Sacramento.

M. G. ELMORE & CO.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

THE

CALIFORNIA MISCELLANY

OF

ECLECTIC LITERATURE.

PUBLISHED EVERY FORTNIGHT.

VOL. I. | SATURDAY, JULY 14, 1860. | No. 1.

NOTE.—Our first number is published one week in advance. Hereafter THE MISCELLANY will be delivered in San Francisco and Sacramento two days in advance of date of publication.

INAUGURAL ADDRESS.

THE publication of a serial, which will command the patronage of a large portion of the mixed community of our young State, has for some time occupied our serious attention. Without arrogating to ourselves any superior talent, we may presume that a very long and intimate acquaintance with the many periodicals of the age in some manner qualifies us to judge what is most acceptable to the general public.

In a serial of a high character, we look for a variety of flavor, and anticipate finding, in the matter offered, such different styles and such different food as will satisfy our mental appetites without clogging it with one subject.

To the World of the West we offer this MISCELLANY, with the determination that the tone of its articles shall commend it to the notice of heads of families, by engaging the attention of the rising generation, whilst it disseminates useful information and tends to elevate the mind and enlarge the intellect. Speaking of newspapers and periodicals, Emerson truly says: "No one who has been without these select private tutors can know their *educating power* for good or evil. Have you never thought of the innumerable topics of conversation which they suggest? * * The great philanthropic questions of the day to which unconsciously the attention is awakened, and the general spirit of intelligence which is evoked by these quiet visitors—anything which makes home pleasant, cheerful and chatty, thins the haunts of vice and the thousand and one avenues of temptation; and should certainly, when we consider its influence on the minds of the young, be regarded as a great moral and social blessing."

To the more matured mind we shall endeavor to commend our issue by a careful selection of articles from *leading periodicals*, cotemporary and retrospective, and from the *ablest authors of the age.* These will embrace sketches of travel of eminent men, articles of general information, works of fiction, historical episodes and poetry, together with scraps and anecdotes interesting to all. At the same time a portion of our pages will be willingly devoted to *original matter*, contributed by our friends throughout the State; and such will be heartily welcomed to our pages, provided they be up to that standard we purpose maintaining in the articles we present to our readers.

The price at which we offer the MISCELLANY, in conjunction with the quality of its matter, will, we hope, obtain for it a circulation which will enable us to fulfill our present intention of materially enlarging its size without increasing our terms of subscription. If but fairly supported by a discriminating public, we pledge ourselves to carry this out to the letter.

The plan of our periodical is, in California, new; and we present this number as an earnest of our future, which it may be assumed will show a marked improvement on the completion of our arrangements for the receipt of all the leading European magazines of the day.

We do hope to be found in close unity with the professional man and the merchant; with the farmer on his ranch, the miner in his cabin, and with the mechanic and the laborer in their hours of relaxation. Soliciting their cordial support, and their kind aid in introducing us to other patrons, we close our address. Our curtain is raised and our first act has commenced; shall we not have your kindly applause and flattering appreciation to help us on our way—stimulating us to fresh exertions to make us a welcome visitor at your homes? We hope we shall.

SKETCHES AND STUDIES IN RUSSIA.

BY H. SUTHERLAND EDWARDS.

WINTER: AT HOME AND IN THE STREETS.

IT is said that people see the cold in Russia, and feel it in Italy. When I was in Russia, I certainly saw the cold, and it did not appear at all necessary to go to Italy in order to feel it. Still, so great and effective are the precautions taken against the common enemy, that when fortified behind double, or perhaps treble, windows in a thick-walled house, and protected in your occasional sorties by a stout armor of fur, you have nothing to fear from the attacks of this most unmerciful assailant.

Russia in the summer is no more like Russia in the winter, than a camp in time of peace is like a camp in presence of the enemy. Moreover, snow is one of the chief natural productions of the country, and without it Russia is about as interesting as an orchard without fruit. We always think of Russia in connection with its frosts, and of its frosts in connection with such great events as the Campaign of 1812, or the Visit of the Deputation from the Peace Society to the Emperor Nicholas. Accordingly, a foreigner in Russia naturally looks forward to the winter with much interest, mingled perhaps with a certain amount of awe. He waits for it, in fact, as a man waits for a thief—expecting the visitor with a certain kind of apprehension, and not without a due provision of life-preservers in the shape of goloshes, seven-leagued boots, scarfs, fur coats, and so forth.

The house I lived in was in the middle of Moscow; and, with the exception of the stoves, the internal arrangement was like that of most other dwellings in Europe. There stoves, however, were nothing but thick hollow party-walls, built of brick, and sometimes separating, or connecting, as many as three or four rooms, which are, of course, contrived so as to meet at the corners. If, instead of opening like furnaces at the bottom, they had opened all the way down the front like cupboards, they would have made excellent wardrobes for hanging up clothes in during the summer months; but as it was, they remained useless during nearly half the year. The outer sides of these lofty intramural furnaces were faced with a kind of white porcelain, though in many houses they are papered like the other walls of the room; so that the presence of the stove is only known in summer by two or three apertures and port-holes which have been made for the purpose of admitting the hot air, and which, when there is no heat within, are closed with round metal covers like the tops of canisters. Sometimes, especially in country houses, the stove, or "peitchka," as it is called, is not only a wall, but a wall which, toward the bottom, projects so as to form a kind of dresser, or sofa, and which the lazier of the inmates use not unfrequently in the latter capacity. In the huts the "peitchka" is almost invariably of this form; and the peasants not only lie and sleep upon it as a matter of course. but even get inside and use it as a bath. Not that they fill their stoves with water—that would be rather difficult; but the Russian bath is merely a room paved with stone slabs and heated like an oven, in which the bather stands to be rubbed and lathered, and to have buckets of water poured over him, or thrown at him, by naked attendants; and, accordingly, a stove makes an excellent bath on a small scale. As a general rule, every row of huts has one or more baths attached to it, which the inhabitants support by subscription; but when this is not the case, the peasant, after carefully raking out the ashes, creeps into the hot "peitchka," and is soon bathed in his own perspiration. He would infallibly be baked alive, but for the pailfuls of water with which he soon begins to cool his heated skin. However, thanks to this precaution, he escapes without a singe, and issues uninjured from the fiery furnace, like Shadrach, Meshech and Abednego, of old.

When a stove is first lighted, the port holes, are kept carefully closed, to prevent the egress of carbonic acid gas; but after the wood has become thoroughly charred, and every vestige of flame has disappeared, the chimney is shut down from the top, the covers are removed from the apertures, and the hot air is allowed to penetrate freely into the room; then, if enough wood has been put into the "peitchka," and the lid of the chimney closes hermetically, the sides of the stove will remain warm for twelve or fourteen hours, and the air of the room for a still longer period. Occasionally it happens that the port-holes are opened while there still flickers a little blue flame above the whitening embers. In this case there is death in the stove. The carbonic acid gas, which is still proceeding from the burning charcoal, enters the room, and produces asphyxia, or at all events, some of its symptoms. If you have not time, or if you are already too weak, to open the door when you find yourself attacked by *ougar*, as the Russians call this gas, you had better throw the first thing you have at hand through the window; and the cold air rushing rapidly into the room, will then save you. A foreigner unaccustomed to the hot apartments of Russia, will scarcely perceive the presence of *ougar* until he is already seriously affected by it; and in this manner the son of the Persian ambassador lost his life two years ago in one of the principal hotels of Moscow. A native, however, if the stove should chance to be "covered" before the wood is thoroughly charred, will detect the presence of the fatal gas almost instantaneously; and having done so, the best remedy he can adopt for the headache and sickness, which even then will inevitably follow, is to rush into the open air and cool his temples by copious applications of snow. Persons who are almost insensible from the effect of *ougar* have to be carried out and rolled in the snow—a process which speedily restores them to their natural condition.

The attention of the stranger on entering a Russian house is at once attracted by the *ivon*, or image of the Saviour, the Virgin, or some saint, in one of the corners of each room. The Russians, like the rest of the Eastern Church, are only half iconoclasts; and while their religion excludes statuary, it enjoins the use of consecrated pictures. These images or ornamented paintings (the ornaments may be in the highest possible relief, but the images must not be literally *graven* images) are the Russian household gods, and are found in the rooms of every habitation, rich or poor, great or small. They attract your notice in the dismal cabins of the little steam tugs, which ply between Cronstadt and St. Petersburg, otherwise completely destitute of furniture; and you may discover them in the dazzling galleries of the Hermitage, where they naturally make but a mean appearance in the presence of the masterpieces of Italian and Flemish art. The holy pictures belong, one and all, to the Byzantine school. The glory round the head of the Saviour or Virgin is of solid metal—sometimes of silver or gold, but usually of brass, or at best of silver gilt; and when the image does not stand in a favorable light, the halo, which alone is visible, looks like a horse-shoe nailed to the wall. Sometimes the whole of the garments are covered with gilt plate, and the only parts of the painting which can be seen are the face and hands; so that many of these compositions deserve to be looked upon as so much goldsmith's work, rather that as productions of art.* Many of these pictures (though fewer than formerly) are, indeed, manufactured in the true sense of the word at Souzdal, a town in the government of Vladimir, which is celebrated for its images, as Moula is famous for its hardwares, Tarjok for its embroidered leather, and so on.

There are seldom more than three colors employed, and each of these has its own separate set of artists, (or journeymen, as they may with more propriety be termed,) just as in the now obsolete horn-bands of Russia each note had its own special executant. The only point at all remarkable in the workmanship of the Souzdal fraternity, is the fineness and evenness of the coloring. The painting is executed on a perfectly smooth surface of very hard wood; the painter dilutes his color with large quantities of oil, and as he progresses polishes his work with a preparation of pumice-stone. When the artificer in red has finished his portion of the performance, he hands it to the artificer in yellow, who in his turn passes it on to the artificer in blue; then the worker in metal affixes the halo; and all is ready for the frame-maker, if a frame happen to be required. There are shops in every large town devoted exclusively to the sale of *icons;* and an *icon* is the only thing in Russia which is bought and sold without the least haggling about the price; for, to attempt to cry down the value, even in a commercial sense, of a holy image, would be considered worse than unbecoming, while any attempt at extortion on the part of the vendor would of course be equally culpable.

The size of the images is generally in inverse proportion to the social rank of the person whose habitation they sanctify and adorn. Thus, in the booths of that permanent fair, the Gastinnoi Dvor, they assume the dimensions of historical pictures, for the Russian dealer is as devout as he is cunning; in the private residences of the merchants of the first guild they are about as large as *genre* paintings; while in the houses of the nobles they seldom extend beyond the modest limits of a miniature. The smallest *icon* I ever saw was in the dining-room of the Nobles' Club in Moscow, where, close to the ceiling in the eastern corner, is a black little image, looking at a distance very like the queen of spades, and certainly no bigger.

Facing the house in which I lived were two detached houses, with the usual courtyards and *portes cocheres.* One of them had white walls and a high, sloping roof of dark red sheet-iron; the walls of the other were painted a very light yellow, and its roof was of a pale green. The light yellow walls contained a Tartar family, the most interesting portion—that is to say, the female portion—of which was never visible. The men, on the other hand, were most liberal in exhibiting themselves. They were constantly to be seen in their gaudy, silken dressing-gowns, and their round skull caps ribbed with red and yellow. Sometimes these Tartars would make incursions into my apartments, and insist on selling me shawls, silks, and above all, dressing-gowns, at eight times their original cost. On another occasion they would come over with propositions for disposing of a ton of India ink to a friend of mine whom they happened to see making a sketch, and who they were determined should not be stopped in his pursuit of art by want of materials. Probably horseflesh is difficult to digest; for every day after each meal these Tartars would spend three or four hours sitting or lying down on the stone bench in front of their dwelling, and immediately opposite my windows. In the early part of September, the bench did not occupy altogether more than four or five hours of their time, and by the middle of the month they had nearly abandoned it. One morning about that period I observed a little puddle in the street with ice on top, and from that day the Tartars took to digesting their horse-flesh indoors. Then to my alarm one of them came out again with a fur coat, or *shouba,* which he began to brush with much care, as though he expected before long to have use for it. A few days afterward I saw a sledge being conveyed along the street on the top of a cart laden with firewood. I confess this gave me just such a shock as I experienced in Paris on the 3d of December, 1851, when, before the firing had commenced, a party of soldiers passed solemnly along the boulevard, bearing a very significant *brancard.* The next morning there was a fall of snow ; and the cream was brought in from the country in jars wrapped carefully round with matting to prevent it freezing. Hundreds of cabbages and thousands of potatoes, all wrapped up more or less in matting, were purchased and stowed away. Furlongs of wood (in Russia wood is sold by the foot) were laid up in the court-yard ; an inspector of stoves arrived to see that every *peitchka* was in proper working order ; and an examiner and fitter-in of windows was summoned to adjust the usual extra sash. At last the windows had been made fast, each pane being at the same time reput tied into its frame. On the window-sill, in the space between the outer and inner panes, was something resembling a long, deep line of snow, which was, however, merely a mass of cotton-wool placed there as an additional protection against the external air. Indeed, the winds of the Russian winter have such powers of penetration, that in a room guarded by triple windows, besides shutters closed with the greatest exactness, you may see the white curtains slightly agitated when the howling outside is louder than usual. "The wind," says Gregorovitch in his Winter's Tale, "howls like a dog ; and like a dog, too, will bite the feet and calves of those who have not duly provided themselves with fur-goloshes and doubly-thick pantaloons." Such a wind must not be suffered to intrude into any house intended to be habitable.

---

* The most celebrated specimen of the class is the immortal panagia of the Cathedral of the Assumption in the Kremlin, which is nothing less (as the faithful affirm) than the Virgin painted by St. Luke himself. It is surrounded by a frame of solid gold, and decorated with a jeweled halo, of which the principal ruby is worth 80,000 roubles; while the total value of the gold work and precious stones is said to amount to 200,000 roubles.

Besides the cotton-wool, which is specially directed against draughts, the space between the two sashes is usually adorned with artificial flowers ; indeed, the fondness of the Russians for flowers and green leaves during the winter, is remarkable. The corridors are converted into greenhouses by means of trellis-work covered with creepers. The windows of many of the apartments are encircled by evergreens, and in the drawingrooms flower stands form the principal ornaments. At the same time enormous sums are paid for bouquets from the hothouses which abound in both the capitals. Doubtless the long winters have some share in the production of this passion for flowers and green plants, just as love of country is increased by exile, and love of liberty by imprisonment.

There are generally at least two heavy snow storms by way of warning before winter fairly commences its reign. The first fall of snow thaws perhaps a few days afterward, the second in about a week, the third in five months. If a lady drops her bracelet or brooch in the street during the period of this third fall, she need not trouble herself to put out handbills offering a reward for its discovery—at all events, not until the spring ; for it will be preserved in its hiding place, as well as ice can preserve it, until about the middle of April, when, if the amount of the reward be greater than the value of the article lost, it will in all probability be restored to her. The Russians put on their furs at the first signs of winter, and the sledges make their appearance in the streets as soon as the snow is an inch or two thick. Of course, at such a time a sledge is far from possessing any advantage over a carriage on wheels ; but the Russians welcome their appearance with so much enthusiasm that the first sledge drivers are sure of excellent receipts for several days. The droshkies disappear one by one with the black mud of autumn ; and by the time the gilt cupolas of the churches, and the red and green roofs of the houses have been made as white as their own walls, the city swarms with sledges. But it is not until near Christmas, when the "frost of St. Nicholas" sets in, that the sledges are seen in all their glory. The earlier frosts of October and November may or may not be attended to without any very dangerous results ensuing ; but when the frigid St. Nicholas makes his appearance—staying the most rapid currents, forming bridges over the broadest rivers, and converting seas into deserts of ice—then a blast from his breath, if not properly guarded against, may prove fatal. However, foreigners alone are afraid of him. He is the Russian's best friend. Of the Russian peasant he is not only the patron saint, but also the real benefactor. He is the greatest engineer in the country, and does more in the department of roads and bridges in a single night than the once illustrious Kleinmichel did in the whole course of his ministry. But when he approaches you, you must not go out to meet him otherwise than in a garment of fur, or the disrespect may be visited upon you with severity. This is the sole return he requires for his services in enabling you to receive the veal of Archangel and the beef of the Steppes, which can only be transported in winter along his excellent roads.

Last year St. Nicholas was nearly playing false to his *proteges*. The winter appeared to have set in for a continuance, in the month of November, and provisions were beginning to come in from the country, when suddenly there was a thaw, and soon afterwards the smaller rivers, which, as they freeze the first, are also the first to break up, were pronounced unsafe. Accordingly the peasants, on arriving with their sledges at the Oka, distant about twenty miles from Moscow, waited on its banks before risking their precious lives; and, what was more important, their valuable provisions, on its treacherous ice. As the thaw continued, the river soon became altogether impassable, and the peasants found themselves in a terrible dilemma. If they attempted to cross the Oka, they and the contents of their sledges might be lost together; but if they remained where they were, the poultry and meat which they had intended to convey to Moscow would inevitably spoil, and they would have to return home without provisions and without money. Now the peasants on their road to the Moscow markets take their meals at the wayside inns on credit, and pay as they go home after they have effected a sale; and so, that to return without money was out of the question. Accordingly *rustici expactabant*, and in this case with some reason; for though it was now flowing, the river was certainly not destined to roll on *in omne volubilis aevum*. In the midst of the difficulty a Jew appeared on the banks of the Oka. The provisions were still sound, and the Oka. though now nearly free from ice, might be converted into a hard road almost in a single night. At all events, if the frost once recommenced, the provisions were safe; and a Jew can always wait for his money, if by a few days delay it will become tripled and quadrupled. Accordingly the Hebrew offered some sort of pottage on the spot, for the right of taking all their contents to the Moscow markets as soon as an opportunity presented itself. Whether he also offered something to St. Nicholas is unknown; but it is certain that that night the mercury fell, the next morning the ground was covered with snow, and before evening the Oka was again a road, and the sledges on their way to the "Frozen Market" of Moscow, where they arrived just in time for the Nikolsky *fete*.

The Frozen Market is one of the most curious in Moscow, which abounds in markets of a curious kind. There is the market for the hiring of domestic servants; the horse-market, beloved by gypsies; the market for earthen pots, and the market for wooden pails. There is the fruit market, especially pleasing to foreigners from its delicious watermelons in the autumn, and its admirable frozen apples (like lumps of apple ice) in the winter. There is the hay-market, where (besides hay) cream, butter, eggs, and all kinds of farm produce are exposed for sale. There is the market of the Soukhar ff Tower, for the sale of furniture, clothes, sledges, tea urns, screw-drivers, rusty nails, second-hand books, and especially stray numbers of the *Russian Messenger*, the *Contemporary*, the *National Annals*, the *Muscovite*, and other indigenous reviews. Then there is the market for odoriferous sheep-skins and moth-eaten *shoubas*, vamped up winter boots, huge leather gloves, shaped like a baby's mittens, Cossack and Circassian caps, felt goloshes, caftans and girdles, to say nothing of fish pies, salted cucumbers, boiled liver, raspberry kvass, black bread, and other delicacies of the season, for buyers and sellers; a market whose popular and emphatic name is "Louse Market," and wh re you may have your handkerchief stolen from you at one end and offered to yourself for sale at the other.

But none of these markets are so peculiar as the Frozen Market. It is not until the *fete* of St. Nicholas—or later still, the week between Christmas and the new year—that this strange exhibition is to be seen in all its glory; and by that time the severe period of winter has fairly set in. The soldiers, tall, strongly built men, are wearing their long gray coats over their heavy knapsacks, which bulge out and make them look like so many hunchbacks; while the broad black bandages which protect their ears and cheeks give them the appearance of persons suffering from toothache. The cold has indeed had some effect upon them; for as they march in from the country their raw-looking countenances are as red as beef, and their frozen moustaches as white as horseradish. Every *moujik*, with his long and literally snow-white beard, looks like an allegorical figure of Winter. The blackest horses are now piebald, thanks to the hoar frost which decorates their sides; while the congelation of their breath round the hairs that project from their nostrils adds to the peculiarity of their appearance, and provides them with a set of spikes such as calves wear in weaning time.

But although the drivers and horses of the sledges, as they hurry toward the market-place, form a by no means uninteresting part of the exhibition; their loads, when taken out and arranged with a view to sale, present a picture which is far more striking. On one side you see a collection of frozen sheep—stiff, ghastly objects—some put to stand on their hoofs like the wooden animals in a child's "Noah's Aark;" others on their sides, with their legs projecting at right angles to their bodies; others, again, on their backs, with their feet in the air, after the manner of inverted tables. The oxen are only less hideous because they have usually been cleft down the back with an axe. The pigs are usually in rows, where they are made to stand on their hind-legs, with their fore feet extended above their heads in an attitude of exhortation.

Among the poultry and game, the hares are especially remarkable, from the fact that their fur, which through the summer is either brown or gray, has at the approach of winter turned completely white; a provision of nature which enables the Russian and Siberian hare to travel through the snow in quest of food with a certain amount of impunity; though for all that, it never fails to be represented at the winter markets of Moscow and St. Petersburg. The partridges, quails, grouse, heathcocks, wood-hens, etc., are lying together in a frozen mass; and by their side are the ducks and geese, with outstretched necks, so straight and stiff that you might take one of these harmless birds by the bill, and using it as a bludgeon, knock your enemy down with the body. The fowls have been plucked immediately after being killed, plunged into water, and then left to freeze. Thus they are completely encased in ice, and in that condition will keep until the spring, or, if placed in the ice cellar which is attached to every Russian house, until a still later period.

[Concluded in our next.]

BIOGRAPHIC SKETCH OF SIR WILLIAM HERSCHEL.

Sir William Herschel, so eminent for his astronomical discovories, entered life as an oboe-player in a marching regiment; yet, by dint of natural talent, well directed and self-instructed, pressed through numberless difficulties, until he attained the first place amongst the British men of science of his day. He was a native of Hanover, (born in 1738,) being the second of the four sons of a humble musician. In consequence of some tokens he had given in early boyhood of the possession of an active and inquiring intellect, he was indulged in a somewhat superior education to that conferred on his brothers: he was allowed to study French. By good chance, his master had a turn for metaphysics and the sciences connected with it; and finding he had got an apt pupil, he gave him some instructions in these branches, and thus stimulated the latent seeds of genius in young Herschel's mind. Yet the poor musician could rear his son to no higher profession than his own. In the course of the seven years' war, about 1759, the youth came to England attached to a German regiment whose band he had entered. He seems to have quickly left this situation, for we soon after find him making efforts to obtain employment in England, and encountering in this quest many hardships, all of which he bore with the patience of a virtuous mind. He at length obtained from the Earl of Darlington an engagement to go to the county of Durham, and instruct the band of a regiment of militia which his lordship was raising there. This object effected, he lived for several years in the north of England as a teacher of music, not neglecting in the meantime to give nearly his whole leisure to the improvement of his own mind. It was now that he acquired a knowledge of the classical languages.

The next step of importance taken by Herschel affords an anecdote which illustrates his natural sagacity. An organ, by Snetzler, had been built for the church of Halifax, and candidates for the situation of organist were requested to appear. Herschel came forward with other six, amongst whom was a locally eminent musician, Mr. Wainwright, from Manchester. The organ was one of an unusually powerful kind, and when Mr. Wainwright played upon it in the style he had been accustomed to, Snetzler exclaimed frantically, "He run over de key like one cat; he will not allow my pipes time to speak." During the performance, a friend of Herschel asked him what chance he thought he had of obtaining the situation. "I don't know," said Herschel, "but I am sure fingers will not do." When it came to his turn, Herschel ascended the organ loft, and produced so uncommon a richness, such a volume of slow harmony, as astonished all present; and after this extemporaneous effusion, he finished with the Old Hundredth Psalm, which he played better than his opponent. "Ay, ay," cried Snetzler, "tish is very goot, very goot, inteet; I will luf tis man, he gives my pipes room for to speak." Herschel being asked by what means he produced so astonishing an effect, replied, "I told you fingers would not do;" and producing two pieces of lead from his waistcoat pocket, said, "one of these I laid on the lowest key of the organ, and the other upon the octave above; and thus, by accommodating the harmony, I produced the effect of four hands instead of two." This superiority of skill, united to the friendly efforts of Mr. Joab Bates, a resident musical composer of some celebrity, obtained Herschel the situation.

The years which he spent at Halifax were not the least happy of his life. He here enjoyed the society of one or two persons akin to himself in tastes, and who could promote his love of study. His attention was now chiefly turned at his leisure hours to the mathematics, in which he became a proficient without any regular master. A poor teacher of music, with so many extraordinary qualifications, must have been a wonder in the Yorkshire of 1766. In that year he was attracted to Bath, by obtaining there the situation of organist in the Octagon chapel, besides an appointment for himself and his brother in the band kept by Mr. Linley in the Pump-room. Here, amidst his duties, which were very multifarious, he still kept up the pursuit of knowledge, although his studies were often postponed to the conclusion of fourteen hours of professional labor. It was now that he for the first time turned any attention to astronomy. Some recent discoveries in the heavens arrested his mind, and awakened a powerful spirit of curiosity, under the influence of which he sought and obtained the loan of a two-feet Gregorian telescope. Still further interested in the pursuit, he commissioned a friend to buy a larger instrument for him in London. The price startled his friend, who returned without making the designed purchase, and Herschel, being equally alarmed at the price of the desired instrument, resolved to attempt to make one for himself. To those who know what a reflecting telescope is, and have in particular a just sense of the difficulty of preparing the concave metallic speculum which forms the principal part of the apparatus, this resolution will appear in its true character, as will the fact of his actually succeeding, in 1774, in completing the five-feet reflector, by which he had the gratification of observing the ring and satellites of

Saturn. Not satisfied with this triumph, he made other instruments in succession of seven, ten, and even of twenty feet. And so great was his enthusiasm in this work, that, in perfecting the parabolic figure of the seven-feet reflector, he finished no fewer than two hundred specula before he produced one that would bear any power that was applied to it.

The early investigations of Herschel were made with this last instrument. Meanwhile he was still chiefly occupied with the profession which gave him bread; but so eager was he in his astronomical observations, that often he would steal away from the room during an interval of performance, give a little time to his telescope, and then contentedly return to his oboe. So gentle and patient a follower of science under difficulties scarcely occurs in the whole circle of biography. At this time Herschel was forty years of age; his best years, it might have been said, were past; but he was to show that even forty is not too old an age at which to commence a pursuit that is to give immortality. About the end of 1779 he began to make a regular review of the heavens, star by star, and in the course of the examination he discovered that a small object, which had been recorded by Bode as a fixed star, was gradually changing its place. On the 13th of March, 1781, he became satisfied that this was a new planet of our system, one moving on the outside of Saturn, eight hundred millions of miles from the sun, and with a period of revolution extending to eighty-four of our years. Having determined the rate of motion and orbit, he communicated the particulars to the Royal Society, who, partaking of the universal enthusiasm which the discovery had excited in the public mind, elected him a fellow of their body, and decreed him their annual gold medal. The new planet was at first called Georgium Sidus, in honor of the king—then Herschel, from the name of the discoverer—but has finally been styled Uranus (from Urania, the muse of astronomy,) a term deemed more appropriate, since all the other planets bear mythological titles.

The Bath musician had now become a distinguished scientific character, and it was necessary that he should be rescued from his obscure and unworthy labors. This public service was rendered by George III, who had at all times a pleasure in patronizing scientific talent. Herschel, endowed with a handsome pension, and the title of Astronomer-Royal, was translated to a mansion at Slough, in the neighborhood of Windsor, there to prosecute his researches in entire leisure. He had now attained what to him was the summit of earthly felicity, and his mind immediately expanded in projects for the advancement of his favorite science. He constructed an enormous telescope, the tube of which was forty feet long, in his garden at Slough, and for a time hopes were entertainrd of great discoveries resulting from it; but the mechanical difficulties attending a structure so vast, were too great to be overcome in the existing state of science, and this great telescope was never in reality of much use, although we believe it was by it that the sixth and seventh satellites of Saturn were added to our knowledge of the heavens. It was with a much smaller instrument that he made his observations on the surface of the moon, (discovering what he thought to be two active volcanoes in it,) and scanned over the heavens for the purpose of cataloguing objects hitherto unobserved. In these investigations the astronomer was materially aided by a younger sister, Caroline Herschel, who was able to take down the observations as he dictated them, while he still kept his eye upon the glass. This lady survives (1844) at a very advanced age. Herschel gave his attention chiefly to the more distant class of heavenly objects; and by his acquaintance with telescopes in their various forms and powers, he was the inventor of a most ingenious though simple mode of reckoning the distance of some of these bodies. Taking one power of glass, and noting all the stars and nebulæ which could be seen by it, he then took another power, and afterwards another and another, and, observing the various objects brought into view in succession by each, he calculated their respective distances by the relative powers of the instruments employed.

This, he very happily called *gauging* the heavens. In 1802 the result of his labors was communicated to the world in a catalogue of five thousand new nebulæ, nebulous stars, planetary nebulæ, and clusters of stars, which was published in the Philosophical Transactions, being prefaced by an enlarged view of the sideral bodies composing the universe. These labors of Herschel have added a most interesting chapter to the book of nature. They make us aware that there are other clusters of stars, or star-systems, besides the vast one to which our sun belongs—that these are placed at enormous distances beyond the limits of our system—that within our system, again, there are objects in all degrees of condensation between a diffused nebulous matter and well defined stars, representing various stages of progress in the formation of suns. And these great facts he has connected with others more familiar, so as to form a beautiful hypothesis of the cosmogony, showing how it was in every stage under the strict charge of natural law. Another interesting discovery of Herschel, which subsequent observation has fully confirmed, is, that our solar system has a movement of its own amidst the other stars, and that this is slowly carrying us toward a point in the constellation of Hercules. The scientific world recived these new truths with awe-struck reverence, and the university of Oxford conferred on Herschel the degree of Doctor of Laws, which is rarely given to any one not reared there. The praise of the astronomer was the greater, that he announced all his discoveries with an air of genuine modesty, and received the distinctions conferred upon him with the same meekness which he had displayed in his days of poverty and obscurity. He was remarkable for great sweetness of temper, and for a natural simplicity which often accompanies great genius. It appears that his astronomical researches had created a notion among his rustic neighbors that he carried on a mysterious conversation with the stars. One rainy summer a farmer waited upon him to solicit his advice as to the proper time for cutting his hay. The Doctor pointed through the window to an adjoining meadow, in which lay a crop of grass utterly swamped. "Look at that field," said he, "and when I tell you it is mine, I think you will not need another proof to convince you that I am no more weather-wise than yourself or the rest of my neighbors."

Being favored with unusual length of days, and with regular health, Dr. Herschel was able to continue his researches for many more years, and to add considerably to the knowledge he had already communicated on this most interesting science. He had now waxed rich in the world's goods, to a degree far exceeding his wants, although a young family had latterly been rising around him. In 1816 the Regent made him a Knight of the Guelphic order, a distinction in his case certainly well earned. But all ordinary gratifications must have appeared to him as trivial, compared with that now reserved for him in seeing his son, who had entered the University of Cambridge, beginning to give promise of the distinguished scientific and literary abilities which have since, in their ripeness, produced such remarkable fruits. At length, in August, 1822, after but a short interval of disqualification for his astronomical researches, death removed Sir William Herschel from his lower sphere, at the age of eighty-four, full of honors as he was of years, and in enjoyment of the love and esteem of all who knew him.

HER FIRST APPEARANCE.

The Hothams were left orphans—the brother at twenty-two, the sister at twenty-one years of age—but their desolation was by no means extreme; it was tempered to them, as the Reverend Appleby Swete observed, by a considerable sum of money in three per cents. Besides, the girl found in Cecil Hotham at once a parent and a brother; more devoted to her happiness than a lover; for his devotion exceeded that of a wooing time—it lasted for life.

Even if one had not been related to her, it would have been quite possible to have become exceedingly fond of Nina Hotham; as Mr. Swete, the curate of Brentfell, where she lived, proved. Swete was not a strong-minded young person, but he was very honest and well meaning, and the living would be his own as soon as the then rector (who was eighty-two) should be removed from what was denominated, more technically than literally, his present sphere of usefulness. The old gentleman had indeed been put in at seventy-four by Mr. Swete's father, the patron, as a warming-pan for his son, and he had already taken five years longer to keep the place warm than was expected of him. Still, it was plain that he could not persist in such annoying conduct much longer, and Mr. Appleby Swete's expectations were—since the living was a good one—proportionally excellent. Nina liked him well enough, though not passionately, and her brother Cecil, seeing that, was, in consequence, his warm friend and supporter; for, if her opinion of the young divine had been unfavorable, he would have been his determined and uncompromising foe.

It was probable that Nina—she was fair, tall and blue-eyed, with a carriage like that of a princess, and a will of her own to match—would have become Mrs. Swete, and lived and died the wife of a country rector, had it not been for a circumstance no less trifling than that of an acting charade.

It was winter; and, at the hall where the old squire, who was king at Brentfell, lived, a large party had assembled, among whom were the Hothams. Private theatricals were a novelty in that part of the country, and such acting even as the guests attempted—which partook more of the nature of tableaux vivants than anything else—aroused immense enthusiasm in the locality, and attracted more spectators than the double drawing-room could easily hold. Nina Hotham, magnificently attired, and imitating the silence as well as the attitude of some sublime statue, made a profound impression. Accustomed from her youth to a country life, and knowing nothing of the world in these volumes of the unreal, miscalled of the imagination, the poor girl became intoxicated with this partial and unreasoning applause. In it her fancy caught the herald notes of a burst of triumphant acclaim, which was to sweep perhaps, one day, through the length and breadth of England; of Europe; of the world. The calling of the actress, she had often thought, was a something little less than divine, and now she had the exquisite pleasure of persuading herself, and of being persuaded, that that high privilege was her own by natural right. Vain, indulged, and accustomed to no other influence than that of her own impulses, this young gentlewoman, brought up in affluence, and imbued with the usual social prejudices, nevertheless found herself stage-struck.

The Reverend Appleby Swete had not hailed very eagerly the appearance of his intended as Rowena, the Saxon Princess, in a charade; but when he discovered that, in consequence of the success of that Mystery, it had been determined that the last scene of the play of Othello was to be represented, the part of Desdemona by Miss Nina Hotham, the young curate looked almost as black as the Moor himself.

"I do trust, Nina," he urged, with suppressed feeling, "that you will think again of this."

"I mean to do so," replied the girl, who was annoyed that the only eyes which had not beamed admiration the only hands which had not spoken approval, on the evening of her recent triumph, were those of Mr. Appleby Swete; "the part requires considerable thought, sir."

"Nina," he said earnestly, "do not answer me thus; you and I, as I hope and trust with all my heart, are, at no very distant period, to be one, as man and wife. Our interests, our sympathies, our actions, are to be similar and united. If I suffered you to take this highly imprudent and unbecoming step (I cannot apply a term less strong to your acting in such a scene with such a man as Colonel Chowler) without reproof, you might, in after life, reasonably reproach me for an unwonted harshness; since, as your husband, I should not surely—"

"Silence, sir," interrupted the embryo tragedienne, imperiously, "you are going too fast. I thank you for the warning you have given me of what I am to expect as your wife. You have not a good temper. 'This bloody passion'—that's what I have to say to the Colonel—'shakes your very frame. These are portents. Have mercy upon me; kill me to-morrow, let me live to-day.' Most reverend signor, you are very terrible!"

"If you do act that scene," cried the curate solemnly, and certainly in a rage, "you and I, Miss Hotham, must never speak of love again."

That five minutes of irritating conversation probably altered the whole tenor of a couple of human lives. The lady persevered in her determination to play Desdemona, and the young clergyman, upon his part, kept his word.

If the charade was a success, the play was a tremendous hit indeed. The gallant Colonel handled the sofa cushion as if he had, all his life, done nothing else but smother people with that implement; and, as for Desdemona, she, according to universal testimony, was well nigh faultless; her skin looked whiter than snow, and smoother than the monumental alabaster; while her tones—except upon one occasion when she got the tassel of the cushion into her mouth—were Desdemona's own. When she desired to be commended to her kind lord, and died forgiving him so sweetly, with an "Oh, farewell," upon her closing lips, there was not one dry eye in the double drawing-room.

This second triumph put an end to what few prudent reflections yet remained to Nina with regard to her becoming an actress. Her admiring brother protested, from the bottom of his heart, that she was the most perfect Desdemona that ever played, and that she would make her fortune in a fortnight, if she were only to go upon the stage.

"I am glad to hear you say so much, my dearest Cecil," was the girl's delighted answer. "I feel the power within me. It has been slumbering long indeed; but now is all the stronger for its rest. I have made up my mind, dear brother, to become an actress—to immortalize myself—aye," she added, in her deepest notes; but not until after a little pause, "and you, also, Cecil."

Cecil Hotham shuddered. He had the most unbounded faith in his sister's powers; but all his instincts rallied round his preconceived opinions of the stage, in arms against this scheme. He knew his sister well enough to feel that it was something more than an idea of the moment, engendered by excitement and success; and he knew himself too well not to doubt his own ability to persuade her to abandon the resolve.

"Remember, Nina, whom you shipwreck by this course," he urged; "poor Swete now dreams that you are his—"

"Not now," she cried, "we are not to speak of love again. He has told me that I shall not act on the stage. Shall not! I am glad to think that I have escaped the man. But he shall hear of me, as all the world shall hear; and you, my Cecil, brother—now that all familiar faces will be set against me—you alone, I look to now for help."

They two had many more conversations of this nature. There was endless talk and oceans of advice, and almost universal censure poured upon them from all sides, as well. But the end was, that Nina had her way.

Their comfortable Brentfell home was let; and, since it was of course absolutely necessary that a tragic star of such a magnitude should make its first appearance in the metropolitan firmament, the Hothams removed to London.

Nina went through a course of training in elocution and deportment, with a patience hardly to have been expected of her; and, in six month's time, was pronounced by her theatrical Coach (a gentleman at the very top of his profession) as perfect as art could make her; which indeed was true.

While she continued to occupy herself in the study of various characters—each of which, however, was the most ambitious in its particular piece—Cecil set every wheel within his reach in motion, to provide her with a suitable engagement. With money and friends in plenty, her position was, of course, a far more favorable one than that of many a more gifted debutante. Still she did not find the thing she sought. More than one manager of this and that great house had interviews with the young lady at her private residence, without the expected offer of the position of first tragedienne being made. They saw her, and were charmed. Her face, her figure, her carriage, her action, even delighted them; but the words themselves were often wanting, and the sense of them it had been out of the power of the theatrical Coach (who, perhaps, did not know it himself) to convey.

Nina grew sad and heart-sick at the lack of generous enthusiasm in these personages, whom she had pictured herself all eager to secure her for their own. Cecil was indignant beyond measure at their ignorance and want of taste.

"These persons who have the leading theaters," said he, kissing away her tears, "are given up to particular styles; to mechanical and stereotyped characters; to women more like lay figures than actresses. They know absolutely nothing of genius; they do not understand the language of Nature, even when they hear it spoken by one so noble as yourself. It is the people only who have the power to put you on your rightful throne. You shall appear at some minor house under an assumed name; and afterward, when your success is proclaimed by the public voice, these mistrustful men will be ready enough to open their doors to my own Nina."

Accordingly, it was not long before a lesser monarch of the stage paid a business visit to the disengaged young lady; approved her speech as well as her action, her delineation of passion, and her majestic method of crossing the room. Finally, in offering her the leading part at his theater during the ensuing month, he promised to respect the secret of her name until an enthusiastic public would be denied the revelation no longer.

"And now that you have made your business arrangements with my future proprietor," said Nina, with laughing eyes and radiant countenance, as her brother returned from an interview with their visitor, "do pray, dear brother, tell me how much I may be worth per week."

"Well, love," replied Cecil, with hesitation, "considering that you are entirely unknown and quite inexperienced; that you have not the great theatrical lineage which some possess, to give an interest to your *debut*; that (I am only quoting the manager's words, you know) you have no decidedly original readings of any well known—"

"Am I worth nothing?" interrupted the girl, passionately. "What does all this tend to? Was the man lying to my face ten minutes ago?"

"No, Nina, no," stammered her brother; "but the offer seemed so small, so insignificant, that I scarcely liked to come to it. Fifteen pounds a week. It would be positively distressing, were it not so ridiculous; but Siddonses, O'Neills, and Nina Hothams must begin, you see, even upon a trifle."

She tossed her head and pouted a little at this intelligence; but presently left the room to pursue her studies, in her natural high spirits. Cecil stood looking at the door through which she had departed, with loving but melancholy eyes. He had schooled the manager in the part he was to play with Nina before he saw her, and his subsequent business arrangements with that gentleman had been different indeed from that which he had represented them.

"I think I was right," he mused; "I trust I was right. To have told her the miserable truth—that I have had to pay fifteen pounds a week for the privilege of her being permitted to act—would have gone well nigh to kill her. After next month, too, all these things will be changed. Such beauty, such genius, cannot remain long unappreciated by any who have eyes and ears."

At the little transpontine theater the effect of this pecuniary-dramatic arrangement was tremendous. The first tragic lady, who had to become the second tragic lady at once, enacted a little extemporaneous tragedy upon her own account, by going into hysterics. The second and third tragic ladies were each proportionally indignant at being unceremoniously thrust down a peg apiece in the dramatic scale. The sentiments of the whole corps of female artistes can be only paralleled by those of the military, when the highest step is not allowed, for some unexplained reason, to go in the regiment. The male actors protested in soothing tones that they would scorn to act with the interloper; or, if they were obliged to do so, that they would act exceedingly ill.

Accordingly—for to this universal jealousy of his sister's position, poor Cecil always ascribed the catastrophe—when the nameless tragedienne made Her First Appearance at the Transpontine Theater, no failure had ever been so complete, on either side of the Thames. There was pretty general applause when she made her first majestic appearance; but, from the moment when she began to speak, until she closed her eyes in mimic death, the noes had it.

The second night was not so completely unfortunate as the first; only because there were not so many people in the house to express disapprobation. On the third night the deposed first tragic lady of the theater resumed her sway.

It would be painful to narrate in detail, how, at this and that inferior theater, Nina Hotham attempted again and again to assert her fancied pre-eminence, and always in vain; how hundreds of pounds were spent on this costly whim of hers, although her brother never had the heart to tell her the truth; and how he himself never lost his loving faith in her; but believed that the world would welcome her, one day, yet. Peevish and fretful at the slightest cross, as she had ever been, she now began to pine under this great reverse. Her vanity, so far from being crushed by these repeated disappointments, grew ranker and wilder than ever; stretching out its too luxuriant tendrils on all sides, and finding nothing to support them anywhere. It really seemed as if the glare of the footlights and the breath of popular applause were as light and air to her, and that, both being denied her, she must perish.

Cecil Hotham, knowing so much better than she did, in what light estimation her talents had been held, was yet so blinded with admiration for her as to determine to risk his all in one more grand attempt to get her a public hearing. One of the two great London theaters being advertised to be let for a certain time, this good young man—sensible enough, in ordinary circumstances wherein his sister was not concerned, but about as fitted for the part of manager of such an establishment as the Vicar of Wakefield—resolved to undertake the management of it. Matters were the more difficult and unfavorable for him, insomuch as all things were made subservient to the interests of Nina. The stars who chanced just then to be not fixed, were excluded from his company lest they should dim his sister's brightness; but the minor constellations exacted from him the pay of their superiors. They were not going to do second business (how indignantly poor Nina echoed that word) to a person without an established name, unless they were well compensated for that humiliation.

In spite of the two theatrical agents in his employment, or, perhaps, because of them, the young manager paid double the usual head-money for every recruit in his enormous *corps dramatique*.

However, the plan of the campaign was in the end arranged, and the object of all his preparations at last placed in a position to wear the crown of triumph she had so long desired.

Nina Hotham's name, in letters of all the colors in the rainbow, and bigger than the poor girl herself, wearied the metropolitan eye wheresoever it fell. The newspapers proclaimed to the whole country, including the little world round Brentfell, how the ambitious debutant had chosen one of the first characters in the range of British drama in which to make her appearance upon the first stage in Europe, on that day fortnight. Nina Hotham had selected no less a part for herself than that of Lady Macbeth.

The hour to which brother and sister had looked forward with a secret suspense that was almost agony, at length arrived. The vast theater was densely crowded from floor to ceiling; puffing had done its word. Vague rumors, also, of failure at other places, and under a feigned name, had got about, and excited curiosity to the utmost. A great number of her private friends, too, were there; besides at least five hundred hands, which, if they did not applaud, ought to be ashamed of themselves, since they had been admitted by orders, and upon that very condition.

In the third tier, far back in the darkness of a private box, sat the Reverend Appleby Swete, now rector of Brentfell; who, for all his hasty words and rigid resolves, had an interest in the fate of the heroine of the night only second to that felt by one other. The ocean of murmurous talk in that vast concourse ebbed and flowed about him, bringing her beloved name upon its almost every wave. He had behaved violently to her, he now thought, and too rigidly. Perhaps her haughty spirit had been even driven into its present course by his harsh words. He, it was, not she, who was to blame. He had need to offer her reparation as well as forgiveness.

All sounds suddenly died away as the curtain rose upon the new heath scenery that had been painted, regardless of expense, for the present occasion. The witches prophesied; the Thanes did everything that was expected of them; but Mr. Swete had neither eyes nor ears for them.

A room within Macbeth's castle at Inverness; a pause, wherein you might have heard a pin drop, and then a roar of applause which shook the house. Nina Hotham was in the centre of the stage, magnificent, majestic; the object upon which the eyes of thousands were concentrated. The letter from Macbeth was in her hand, from which she ought to have already spoken the first sentence. Another roar of applause. Still Nina spoke not one single syllable, nor was she fated to speak; her faculties were numbed; her tongue powerless; her limbs immovable. She was paralyzed by stage-fright. Applause, mingled with disapprobation, succeeded; then, disapprobation only. Finally, the curtain descended upon the voiceless Lady Macbeth in a perfect storm of hisses.

Even Cecil Hotham knew that Nina's chance as a favorite of the public was now gone forever. The final opportunity thus lost, had cost—with the previous expenses upon her account—nearly all their fortune. Nevertheless, not a word of sorrow, and far less of reproach, did he ever utter. After paying every farthing that they owed, he left his expensive residence, and removed with her to a suburban lodging; their Brentfell house having been sold. A room was appropriated in their humble home for the vast assemblage of theatrical properties which now seemed to form her sole comfort. It was her melancholy delight to catalogue these relics of what she was wont to consider her palmy time; to array herself in the most gorgeous mimic vestments; to represent to her own satisfaction still, the characters which she was never destined to perform before others.

The Hothams courted obscurity; and, like all who have got through their property, and lived only for themselves or for each other, they easily obtained it. Only one visitor was ever seen to enter their door. The Reverend Appleby Swete came to place his heart at the disposal of Nina, in spite of all that had come and gone. She received him very kindly, and indeed with a greater appearance of affection than she had at any time exhibited toward him; but it was only to dismiss him forever. Anxiety, disappointment, and more than all, disgrace, had undermined the poor girl's constitution to an extent that no physician could remedy. She had only a few months in which to live—and she knew it. She told him this, with an earnestness against which he did not dare to hope.

She found it much harder to persuade her brother—always anxious to believe pleasant things about her—that her case was indeed so bad; but, at last, even he was brought to believe it.

"If I had years and years to live, dear Cecil," cried she one day when she had grown very weak and ill, "they would be all too short to prove how grateful my heart feels to you: it has been a selfish, foolish, blinded heart, all along, I fear."

"Hush, hush," he whispered fondly. "I have done nothing which my judgment has not approved. To me you are as great as you are dear. We have done with all that now, but only yesterday, when you spoke those noble words as a queen should speak them, and looked every inch a queen, and felt—"

"Hush, hush, dear brother," she murmured, "no more of this. I will act no part with my own Cecil again. You have been deceived, and I have deceived myself. We two have both been wrong; you through love, and I through shameful vanity. I am no actress, and no genius; have no wisdom, power, nor truth. I am a poor, weak, sinful girl, who has ruined the kindest brother the world ever saw."

Yet, when Nina died her brother missed not only Nina, but a being of infinite radiance, knowledge, skill. He never lost his faith in her, dead or alive. And when he died himself—which was not long afterward—the effects belonging to him which were found most religiously preserved, tied up and sealed, were certain monstrous boxes filled with theatrical gewgaws.

THE CAMERONIAN DREAM,

BY JAMES HISLOP.

It may be as well to inform our readers that the following remarkable poem relates a peasant's superstitious legend connected with a lonely spot in Ayrshire, Scotland, where a party of the Covenanters, in the reign of Charles II, were attacked by soldiers while performing divine service. Their minister, the Rev. Mr. Cameron, and some others were slain. A flat gravestone, inscribed to their memory, still marks the spot, which to this day is held in sacred remembrance by the peasantry.—Ed. Miscellany.

In a dream of the night I was wafted away
To the muirland of mist where the martyrs lay;
Where Cameron's sword and his Bible are seen,
Engraved on the stone where the heather grows green.

'Twas a dream of those ages of darkness and blood,
Where the minister's home was mountain and wood;
When in Wellwood's dark valley, the standard of Zion,
All bloody and torn, 'mong the heather was lying.

'Twas morning; and summer's young sun from the east
Lay in loving repose on the green mountain breast;
On Wardlaw and Cairntable, the clear shining dew
Glistened there 'mong the heath-bells and mountain flowers blue.

And far up in heaven, near the white sunny cloud,
The song of the lark was melodious and loud;
And in Glenmure's wild solitude, lengthened and deep,
Were the whistling of flowers and bleating of sheep.

And Wellwood's sweet valleys breathed music and gladness,
The fresh meadow blooms hung in beauty and redness;
Its daughters were happy to hail the returning,
And drink the delight of July's sweet morning

But, oh! there were hearts, cherished for other feelings,
Illumed by the light of prophetic revealings,
Who drank from the scenery of beauty, but sorrow,
For they knew that their blood would bedew it to-morrow.

'Twas the few faithful ones who with Cameron were lying,
Concealed in the mist where the heath-fowl was crying;
For the horsemen of Earlshall around them were hovering,
And their bridle-reins rang through thin misty covering.

Their faces grew pale, and their swords were unsheathed;
But the vengeance that darkened their brows was unbreathed;

With eyes turned to Heaven in calm resignation,
They sung their last song to the God of salvation.

The hills with the deep mournful music were ringing
The curlew and plover in concert were singing;
But the melody died 'mid derision and laughter,
As the host of ungodly rushed on to the slaughter.

Though in mist, and in darkness and fire they were shrouded,
Yet the souls of the righteous were calm and unclouded;
Their dark eyes flashed lightning, as firm and unbending,
They stood like the rock which the thunder is rending.

The muskets were flashing, the blue swords were gleaming,
The helmets were cleft, and the red blood was streaming;
The heavens grew dark and the thunder was rolling,
When in Wellwood's lone muirlands the mighty were falling.

When the righteous had fallen and the combat was ended,
A chariot of fire through the dark cloud descended;
Its drivers were angels, on horses of whiteness,
And its burning wheels turned on axles of brightness.

A seraph unfolded its doors bright and shining,
All dazling like gold of the seventh refining;
And the souls that come forth out of great tribulation,
Have mounted the chariot and steeds of salvation.

On the arch of the rainbow the chariot is gliding,
Through the path of the thunder the horsemen are riding;
Glide swiftly bright spirits, the prize is before ye!
A crown never fading, a kingdom of glory.

The author of these stanzas was simply a Scotch shepherd in Ayrshire; a year's schooling was his sole opportunity of improvement. He studied incessantly whilst following his occupation, and self-taught became a proficient mathematician. At the age of twenty-one he removed to Grenock, and depended upon teaching for the means of livelihood. Specimens of his poetry found their way into the *Edinburgh Magazine*, the excellent editor of which became interested in him. On the appearance of the CAMERONIAN DREAM, Mr. Jeffrey, afterward Lord Jeffrey, sent him a handsome present. Introductions to Allan Cunningham, Joanna Baillie, Mr. Lockart, of the *Quarterly Review*, and other literary celebrities, followed; and he was, by their influence, appointed schoolmaster of the "Tweed," a British Man-of-War, on board of which his early career was terminated by fever, at the Cape de Verde Islands. His poetry abounds in passages of brilliant imaginative power, with great purity and tenderness of feeling—but it is deficient in concentration of ideas. Allan Cunningham says: "As was the man, so was his genius, elegant rather than vigorous; sweet and graceful rather than lofty; although lofty occasionally—as witness his CAMERONIAN DREAM. Had he but lived, he promised to be one of the most gifted poets of his age. He was a frequent visitor at my house, and I heard of his death with the sorrow of a brother."

PREDESTINATION.—"Why do you take your gun, neighbor? You won't be killed before your time." "But," said the old fellow, "suppose I was to meet an Indian, and *his* time was come, it wouldn't do not to have *my* gun."

A CORRESPONDENT in the London *Times* calculates the age of the Great California Tree, (a part of which was in the Crystal Palace,) at six thousand four hundred and eight years. Before Adam was a small boy that tree must have been planted.

THE WEDDING : A BACKWOOD SKETCH.

During a residence in America, no observing person can fail to have remarked, whether he travel in Canada, the United States or Texas, the vast number of Irish families everywhere to be met with. They bear such distinctly marked peculiarities, that no mistake can occur in attributing to them their native soil. It has been my lot to visit many of the settlements of these wanderers from the green isle ; but nowhere did I meet any family which so singularly interested me, as one which a few months back was residing within the limits of Texas, consisting of the father, mother, a son, and two daughters. Old Rock, or, as he is generally called, Captain Rock—a name doubtless assumed—emigrated to America seventeen years ago—his family then consisting of two daughters; for the son was born afterwards in the land of his adoption. For seven years, the sturdy Irishman (originally well informed and well educated, though his early history was never known) contended with the difficulties incident to new settlers, with various success, in different parts of the Union, when he was induced to join the first band of adventurers who, under under General Austin, obtained leave from the Mexican Government to locate themselves in Texas. The family obtained a grant of land as a matter of course ; but old Rock did not fancy settled agricultural pursuits. To have round him a well stocked farm, cleared and productive fields, and herds of cattle, would have required a degree of perseverance and patient personal labor of which he was incapable. He preferred the life of a wandering squatter, upon which he at once entered. and which he has never since deserted, Building a boat, old Rock embarked in it on one of the Texan rivers, with his family, an old gun, and a small stock of ammunition, and, following the windings of the stream, did not stop until he came to an abandoned log hut, or frame house, where he thought he might find temporary accommodation.

Of these deserted houses Texas has many, their abundance arising from various causes—death from fever, the terrible civil war, or, oftener still, from men having hastily chosen a location, and built thereon, before it was found out that the spot was undesirable and unproductive. Rock was not nice. If the neighborhood supplied game, he was satisfied. Sometimes an acre of sweet potatoes, Indian corn, and pumpkins, might be put under cultivation ; otherwise, the family lived entirely upon venison, wild fowl, fish and oysters, and, it was whispered, pork upon occasion. A reported fondness for this latter article was one of the causes of old Rock's frequent migrations. No sooner did he pitch himself in any neighborhood, than, it was said, pork was at a premium. Pigs certainly disappeared most mysteriously ; but though all threw the blame upon Rock, he ever averred the panthers, wolves, and stray hunters, to have been the real culprits. However this might be, after some months' residence in any particular spot, the family usually received a polite notice to quit, and find another dwelling-place. Eighteen several times had the Hibernian patriarch removed his tent at the bidding of his fellows ; any neglect of such orders being usually followed by the infliction of that summary justice called Lynch-law.

When I became acquainted with the family, early in the autumn of 1842, they were residing on one of the tributaries which pour into Galveston bay, known as Dick's Creek. The son was sixteen, a small-made lad, who entirely supported the family by means of his gun, being one of the most expert hunters I ever met with in the backwoods. Every article not produced by themselves—their clothing being entirely of deerskin—was obtained by bartering venison hams, which they always carefully preserved for this purpose. Rock and his wife were now old ; the former, though yet sturdy, moving about in his boat, and smoking over his fire ; the latter doing all the cooking. Mary and Betsey Rock, the daughters, it would be vain to attempt faithfully to delineate. Fat, brown and healthy, dressed in petticoats and spensers of deerskin, they were the most original pair it was ever my lot to encounter. They could neither read nor write, but could hunt and fish most excellently well ; and two adventurous days they were that I spent in their company. They had never seen an Englishman before since they were grown up, and my pictures of life at home enraptured them. With the younger daughter, Mary—the other was engaged to be married to a Yankee—I became a prodigious favorite, and many a hunt in canoe and in the prarie had we together. But to my story. After leaving them with a faithful promise of paying another visit, I found myself, six weeks after, again at the door of the once elegant frame house, where I had left them. To my surprise, it was half burnt and desolate. This disappointed me much; for I had brought up several appropriate presents for both my young friends. Pursuing my way, however, up the river, I halted at a farm house, where I found several persons collected, who quickly informed me that the family had been "mobbed" off the creek, with threats of being shot if they settled within ten miles of the spot. Where they had gone to no one knew, nor seemed to care; and these parties being the very extempore administrators of justice who had warned them off, I soon departed, and gained the house of my friend Captain Tod, where I purposed ruralizing during some weeks. From Tod I learned that two fat pigs had lately disappeared: and suspicion, most unjustly, as it afterward turned out, having fallen on the Rocks, the squatter and his family had to seek a new resting place. On hearing this, I gave up all idea of ever again seeing my fair friends.

Three days passed in the usual occupation of a hunting party, when, on the afternoon of the fourth day, I was left alone in the log hut to amuse myself over certain lately arrived English papers, while my companions were employed in searching the country round for some cattle which my friend, the Captain, was desirous of selling. About an hour before sunset, footsteps, which I supposed to be those of one of the returned party of cow-boys, were heard behind the hut, then at its side, and in a minute more the latch was raised, and in walked Tim Rock. The young hunter, having satisfied himself that I was really there, advanced close to me and answered my greetings. My first inquiries were after his sisters. "Why," said he, "sister Bet is to be married to-morrow, and sister Mary has sent me to invite you to the wedding." "How," said I, in some surprise, "did your sister know I was here?" Tim laughed, and replied that when I stopped with my boat's crew at the farm house, he was on the opposite bank in the timber hunting, but dared not communicate with me in consequence of what had occurred. After a few more words of explanation, I shouldered my gun, my packet of presents for the young ladies, and, leaving a line in pencil for my friends, followed Tim through the forest, until we reached the water's edge, where, carefully concealed by overhanging trees and bushes, I found a moderate sized canoe. It was almost dark when I stepped into the boat, but still I saw that it already contained a human being; so my hand mechanically sought the butt of my pistol. "You won't shoot me, sir," said the rich, full, merry voice of Mary Rock, to my infinite surprise. Tim laughed heartily at my mistaking her for an Indian, and then, cautioning me to speak low until all the houses on the river were passed, we placed ourselves in the craft and commenced our voyage. I, knowing the bayou to a nicety, acted as steersman; Mary sat next with a paddle, and Tim in the bow with another. It seemed that, determined to have me at the wedding, the brother and sister, with the consent of their friends, had started to fetch me, feeling certain that I would come, after the promises I had made to that effect. It seemed that they had judged rightly; for here was I, in company with two of the rudest settlers in the wilderness, embarked in a frail canoe to go I knew not whither—nor did I much care. This roving spirit it was, indeed, which initiated me into many secrets and mysteries of the woods and prairies which escape the more sober and methodical.

The record of that night's journey would, in itself, be a curious chapter in western economy; but more important matters forbid. Suffice it to remark, that, after sixteen miles' journey down the river by moonlight, and as many more across the rough and sea-like Bay of Galveston, enlivened by merry jocund talk all the way, we arrived about dawn at the new settlement of the Rock family. It was a large deserted barn or warehouse, near Clare Creek. The family were already up and stirring, and engaged in active preparation for the important ceremony; and, to my surprise, the supply of eatables and drinkables was both varied and great—all, however, being presents from the bridegroom, one Luke, a wealthy land owner of Texas, in possession of much cleared ground and many hundred head of cattle. It may be matter of surprise that a man well to do in the world should have chosen a bride so every way rude and uneducated; but in Texas women are scarce, and then the lover might have looked far before he could have found a more cheerful and good natured companion, more willing to learn, more likely to be loving, faithful and true, than Betsy Rock. The blushing bride received me in a cotton gown, shoes and stockings, and other articles of civilized clothing previously unknown to her, and in which she felt sufficiently awkward. But Luke had sent them, and Betsy wished to appear somebody on her wedding day. My presents were all, therefore, except a bead necklace, employed in decorating Mary, who, secreting herself behind a screen with her sister, almost convulsed me with laughter by appearing a few minutes after in a man's red hunting shirt, a cotton petticoat, white stockings and moccasins, the body of a silk dress sent to her by a Galveston lady, and a cap and bonnet. Never was London or Parisian belle prouder than was this little rosy-cheeked light-hearted Texian beauty.

About eight o'clock the visitors began to arrive. First came a boatful of men and women from Galveston, bringing with them a negro fiddler, without whom little could have been done. Then came Dr. Worcester and his lady, from St. Leon, in a canoe; after them, Colonel Brown, from Anahuac, in his dug-out; and, about nine, the bridegroom and four male and an equal number of female companions on horseback, the ladies riding either before or behind the gentlemen, on pillions. Ere ten, there were thirty odd persons assembled, when a most substantial breakfast was sat down to, chiefly consisting of game, though pork, beef, coffee, and, rarer still, bread proved that Luke had had a hand in it. This meal being over, the boat in which the party from Galveston had come up, and which was an open craft for sailing or pulling, was put in requisition to convey the bride and bridegroom to the nearest magistrate, there to plight their troth. The distance to be run was six miles, with a fair wind going, but dead against us on our return. The party consisted of Luke, who was a young man of powerful frame, but rather unpleasant in features; the bride and bride's-maid, (Mary Rock officiating in this capacity,) papa of course, myself as captain, and eight men to pull us back. The breeze was fresh, the craft a smart sailer, the canvass was rap full, and all, therefore, being in our favor, we reached West Point, the residence of Mr. Parr, the magistrate, in less than an hour. We found our Texian solon about to start in chase of a herd of deer, just reported by his son as visible, and being therefore in a hurry, the necessary formalities were gone through, the fee paid, and the usual document in the possession of the husband in ten minutes. The eye of the old squatter was moistened as he gave his child away; some natural tears *she* shed, but dried them soon; and presently everybody was as merry as ever.

No sooner were the formalities concluded, than we returned to the boat, and to our great delight found that, close hauled, we could almost make the desired spot. The wind had shifted a point, and ere ten minutes we were again clean full, the tide with us, and the boat walking the waters at a noble rate. All looked upon this as a good omen, and were proportionably merrier; none more so than my own particular friend Mary, who, in her finery, was an object of much good humored joking from the men who surrounded her. About one o'clock Mr. and Mrs. Charles Luke were presented by old Rock to the assembled company at the barn; and, after an embrace from her mother, the bride led the way, accompanied by her lord and master, to the dinner table. The woods, prairies and waters, as well as the Galveston market, had all liberally contributed their share of provender. Wild turkeys, ducks, geese, haunches of venison, were displayed, beside roast beef, pork, red fish, Irish and sweet potatoes, pumpkin and apple pie, and an abundant supply of whisky, brandy and Hollands, without which a *fete* in Texas is nothing thought of. An hour was consumed in eating and drinking, when Sambo was summoned to take his share in the day's proceedings. Tables, such as they were, were cleared away, the floor swept, partners chosen, and, despite the remonstrance of one of the faculty present, Dr. Worcester, against dancing so shortly after a heavy meal, all present, the dissentient included, began to foot it most nimbly. Never was there seen such dancing since the world began, never such laughing, such screaming, such fiddling. Every one took off shoes and stockings; I was compelled to do so, to save the toes of my especial partner, Mary; and to the rapid music of the old negro, reels and country dances were rattled off at a most surprising rate. All talked, and joked, and laughed—such couples as were tired retreating to seek refreshment; but the dancing never ceasing, except at rare intervals, when Sambo gave in from sheer fatigue and thirst. Such was the state of things until about nine o'clock, when a sudden diminution in our number was noticed by all present. Mary had before let me into the secret; and the bride and bridegroom were missed, as well as the four couples who had accompanied Luke. Rushing into the open air, we descried the husband and wife on their fine black horse, galloping beneath the pale moon across the prairie, escorted by their friends. A loud shout was given them, and those who remained, returned to the house to renew the dancing, which was kept up until a late hour. It was four days after my departure ere I regained my companions at Todville.

Such was the wedding of one of those hardy pioneers of civilization, whose descendants may yet be members of a great and powerful nation. I saw Luke and his wife, as well as Mary, on many subsequent occasions; but I never learned that the American backwoodsman repented his union with the wild Irish Diana, who had hunted deer on Murtany Island with the English stranger, could paddle a canoe with more ease than she could use a needle, and shoot a duck with more facility than write her name. Luke, however, is teaching her more useful accomplishments; and Betsy, ere her children—one of whom I have already seen—are of an age to require instruction, will doubtless be able to render it. I hope, however, my picture will send over no one to wed Mary; for, though I have for the meantime returned to civilization, I cannot yet resign a certain faint notion, that there might be worse lives than that of a Texian settler with such an associate.

MR. HARRIS IN JAPAN.

Mr. Harris was twice at Yeddo after he was landed by the San Jacinto, and remained some three months each time. He speaks in most flattering terms of the primitive simplicity of the imperial habits; of the absence of everything like *magnificence* about his palace, and of the general kindness and good feeling evinced by all classes toward him. He mentioned the case of one old lady in particular, who was even now engaged in the motherly task of making him some wadded silk shirts to protect him from the approaching Winter. These facts are trivial, but they indicate very plainly the nature of Japanese *feeling* toward Americans. Even the Emperor has loaded him down with kindness. When he was lying sick at this place, a special messenger arrived daily from Yeddo to ask after his health, and to bring him some present expressive of the interest that was felt for his recovery. The Imperial Doctor was also sent to attend upon him. Such things as these have never before been known in the history of Japan. Our able Consul-General has a very poor opinion about the majority of books which have been written about this country. "When," he queries, "when will writers learn to write only that which they see? A man has no need of imagination *here*—truth is strong enough. We live in a world of romance, simply because (referring to writers in general) the truth is not in them!" He, however, speaks in the highest terms of Commodore Perry's course while out here, and mentioned many good results which are now flowing from it. "He was a man of great good judgment, and accomplished as much as one could possibly have done under the circumstances." He said, "upon one occasion I thought differently myself, but accepted his judgment as more likely to be correct (through personal observation) than my own."

Speaking of Commodore Perry, I asked him how the Japanese had treated the expensive presents which that officer had presented them, on the part of the Government, three or four years back.

"Well," I know I am going to surprise you now," he said.

"You know that Commodore Perry gave them, among other things, a circular railroad, and engine and tender, and brass howitzer—one of the Dahlgreen guns. They have a large house built for the safe keeping of this railroad, and every now and then take it out, lay the track, get up steam, and then away go a dozen or more high officers upon a circular pleasure trip. Japanese engineers have charge of everything, and are never at a loss in the discharge of their duty. I suppose that they will soon have a track laid from Kanayawa to Yeddo, but I doubt if the railroad will pay in any other part of Japan; the country is too broken. As for the 'boat howitzer,' they have had one thousand cast exactly like it, and mounted them in the forts of their different ports. And now here is something else that will surprise you. Upon both Fourths of July that I have passed here, and once upon Washington's birthday, they fired a salute of twenty-one guns from these howitzers. Mr. Heuskins and myself attended, with the American flag flying, and the people exhibited the greatest good feeling and enthusiasm. One might have almost imagined them Americans."

"What have they done with the electric telegraph that was presented them?" I asked.

"Little or nothing, I think. But I am not certain. They are making astonishing headway, however, in the groundwork for future intercourse with the world. Five or six months since they asked me, as a great favor, to be allowed to send a Minister to the United States. 'My dear sirs,' I replied, 'do not ask this as a favor; *it is your right.* Send a Minister with as large a suite as you choose, and you may be certain of a friendly reception.'

'And would the United States furnish us with transportation from here to the Isthmus?' he asked.

'Certainly,' I replied, 'and treat you with the greatest attention and kindness during your whole stay.'

"Yes," I remarked, laughingly. "I can imagine a Japanese Minister and suite in the hands of the New York City Fathers! What a time they would have of it! How every theater would throw open its doors to them *and the crowd they would draw!* and how Japanese reserve and love of quiet would be driven to desperation by the attentions with which they would be surrounded. Are these officers and princes rich enough to make a grand display, or would they carry along with them their simple dress and tastes?"

"They would be just as you see them now," he replied. "We have no idea of the sound common sense, and want of everything like pretension, peculiar to this people. Take the Emperor himself, for instance. He is, as you may suppose, very rich, and yet, I am positive that his table and clothing do not cost him five hundred dollars a year. Why, that sum would not more than pay for the gloves of Broadway dandy with us. You have doubtless seen the thick, soft matting with whic the floors of their houses are covered? Well the floors of the palace are covered in th same way, and this matting serves as the Emperor's bed, as well as that of the poores house serves as the bed of his poorest subjec He stretches himself out, with a wooden pillo under his head, and sleeps a sleep rarel granted to his brother monarchs. To see Japanese thus sleeping, with his head abruptl raised five or six inches, you would predict stiff neck or future spinal affection as a ge eral result; and yet there is not a more healthy people living."

"What did the Emperor look like?" one of us asked.

"Quite a fine looking man, with a soft voice and pleasant smile. I suppose he is some thirty-five years old. In fact, I know he is; for, as it is considered polite in Japan to ask one of his age, and how man children he has, I was, of course, polite. Poor fellow! He has what one of us would consider a miserable life. He does not leave the palace but once in two years; and then, as he passes through the town every one must leave the streets and close the doors and windows of their houses. Their custom does not even allow them to look at him. This is the temporal Emperor at Yeddo, of whom I now speak; the case of the spiritual Emperor at Miaco is even worse, for he never leaves his palace, He is venerated so much that they cannot even *run the risk* of his being looked upon by the crowd."

"How long has it been since you received your last mail, Mr. Harris?" asked another.

"Oh! as for the mails, we are not bothered with them here. If we get files of papers and our letters once a year, we think ourselves fortunate. As for my correspondence with the State Department, I do not know what to make of it. Mr. Marcy sent me to Siam, where I made a treaty and sent it home. I came here, and, after much difficulty, got them to sign a convention—a very important one—which I also sent home. One day, while I was in the weekly expectation of hearing from the Government, a special courier arrived at Yeddo, where I then was, bringing me a bundle of papers from our Vice Consul at Hakodadi. This man had been nearly a month on the road, during which time he had traveled over five hundred miles. Mr. Rice had read the papers and then forwarded them to me. Now how do you suppose that *he* became possessed of them?"

"It is hard to imagine," we answered.

"He got them from an American whaler. Fortunately, her captain was fond of reading, and so, when leaving Honolulu, S. I., for a cruise after sperm whales, he filled his lockers with the latest papers. During his cruise he touched at Hakodadi, and having then gone over them at least twice, passed them over to Rice. Through these I first heard of the death of Governor Marcy, and began to understand why I had not heard from him. Now you tell me that my convention with Japan was published in January of this year—that is pleasant news, but I would like to know whether the State Department are satisfied with it."

Shortly after Mr. Harris arrived at Yeddo the second time, he was followed by Mynheer Donker Curtious, the Dutch representative from Nagasaki. I asked him if that gentleman had, as usual, gone upon his knees when approaching the Emperor, and he said not. That custom might be considered as extinct now, though Donker Curtious was the first Dutchman who had escaped. Thus is Japan becoming more liberal daily.

"About what time do you think they will send us a Minister?" I asked; "and have they any able men who would be equal to the post?"

"As for the time, it is not yet settled upon; but as to the fact of one going, that is beyond all doubt. I suppose that within a year from this date a Japanese Minister and suite of twenty or thirty will be in Washington. Higo-no-Kami ('Kami'—prince; 'no'—of; 'Higo'—Higo; Prince of Higo) is probably as able a man as they have, and he is doubtless the one who will be selected. You will see him in a few days—a fine looking fellow."

Mr. Harris speaks most interestingly of the feats of the jugglers, and of the theaters of Yeddo, as well as of the extensive stores. He says that the Prince of Cinano, (Cinano no-Kami,) to whose particular care it seems the Emperor confided his comfort and amusement, fancying that he was having a dull time in the immense house that had been appropriated to him, called up some of his jugglers to perform before him and help him pass it. One of them was the "Anderson" of Japan. His feats were so wonderful that I am almost afraid to write them. I wish it distinctly understood, therefore, that I am only repeating what Mr. Harris told us, and what we consequently believe. Here are some of his feats :

No. 1. He took an ordinary boy's top ; spun it in the air ; caught it on his hand, and then placed it, still spinning, upon the edge of a sword, near the hilt. Then he dropped the sword point a little and the top moved slowly toward it. Arrived at the very end, the hilt was lowered in turn and the top brought back. As usual, the sword was dangerously sharp.

No. 2 was also performed with the top. He spun it in the air, and then threw the end of the string back toward it with such accuracy that it was caught up and wound itself all ready for a second cast. By the time it had done this it had reached his hand and was ready for another spin.

No. 3 was still performed with the top. There was an upright pole, upon the top of which was perched a little house with a very large front door. The top was spun, made to climb the pole, knock open the said front door and disappear. As well as I remember, the hand end of the string was fastened near the door, so that this was almost a repetition of the self-winding feat.

But feat No. 4 was something even more astonishing than all this. He took two paper butterflies, armed himself with the usual paper fan, threw them into the air, and fanning gently, kept them flying about him as if they had been alive.

"He can make them alight whenever you please. Try him!" remarked the Kami (prince) through the interpreter.

Mr. H. requested that one might alight upon each ear of the juggler. No sooner expressed than complied with. Gentle undulations of the fan waved them slowly to the required points, and there left them comfortably seated. Now, whether this command over pieces of paper was obtained simply by currents of air, or by the power of a concealed magnet, Mr. H. could not tell or ascertain. One thing, however, was certain—the power was there.

Let us turn from jugglers to theaters. It seems that there are only four of the latter in Yeddo, and that they are all alongside of each other. Hence, if a Japanese on the edge of the city wishes to attend one of them, he must take some foot exercise before being able to do so. I say that he must walk, for no one but the princes in Japan are allowed to ride, as a general rule, and *they must ride*, either in a chair or on horseback, as they choose. In the latter case, the horse is led by a groom on each side, and is never allowed to go out of a walk. While passing by these theaters, Mr. H. expressed a wish to attend a performance, but his princely conductor was very much shocked, telling him that none but the common people ever went to such places. If the nobility wanted to see anything of the kind they made the actors come to them.

Speaking of the stores of Yeddo, Mr. H. observed that we would be surprised at their size, at their contents, and at their great number of salesmen, each of whom had his dozen or more shop-boys standing behind him to execute his orders, "Upon entering the immense building, you see no goods at all," he said. "They are all stored in fire-proof buildings in the rear. When a customer enters and asks for anything, the salesman orders the shop-boys, the shop-boys apply at the fire-proof, the keeper of the fire-proof checks against each one that which he takes, the salesman makes his sale, each shop-boy returns to the fire-proof his part of what remains, and at night the salesman accounts to his employer for the difference. Thus is business conducted in the large houses of Japan."

I expect that the "world of mariners" would like to know if fresh provisions are yet to be obtained in Japan. The answer is, Yes, as much as you want. At Hakodadi, fresh beef, Irish potatoes, buckwheat and wheat flour, fine fresh salmon, etc. At Simoda, chickens, eggs, fish, sweet potatoes, rice, etc. And at Nagasaki, the same as at Simoda, as well as a few foreign articles through the Dutch of Desima. And then, *the prices* which they ask for all these things! Let us give you an example : I have just bought two hundred and seventy pounds of the *best rice in the world* (I except that of no country) for $2 81, a fraction over *one cent a pound.* In China, at this moment, some of the *worst rice in the world* is selling at four cents. Comment is useless here ; but I may mention that China is but four days' sail from Japan.

THE ORPHANS' VOYAGE HOME.

The men could hardly keep the deck,
So bitter was the night;
Keen north-east winds sang thro' the shrouds,
The deck was frosty white;
While overhead the glistening stars
Put forth their points of light.

On deck, behind a bale of goods,
Two orphans crouch'd to sleep;
But 'twas so cold, the youngest boy
In vain tried not to weep;
They were so poor, they had no right
Near cabin doors to creep.

The elder round the younger wrapt
His little ragged cloak,
To shield him from the freezing sleet
And surf that o'er them broke;
Then drew him closer to his side,
And softly to him spoke:

"The night will not be long," he said,
"And if the cold winds blow,
We shall the sooner reach our home,
And see the peat-fire glow;
But now the stars are beautiful—
Oh, do not tremble so!

"Come closer!—sleep—forget the frost—
Think of the morning red—
Our father and our mother soon
Will take us to their bed;
And in their warm arms we shall sleep"—
He knew not they were dead.

For them no father to the ship
Shall with the morning come;
For them no mother's loving arms
Are spread to take them home;
Meanwhile the cabin passengers
In dreams of pleasure roam.

At length the orphans sank to sleep
All on the freezing deck;
Close huddled side to side—each arm
Clasp'd round the other's neck.
With heads bent down, they dreamed the earth
Was fading to a speck.

The steerage passengers have all
Been taken down below,
And round the stove they warm their limbs
Into a drowsy glow;
And soon within their births forget
The icy wind and snow.

Now morning dawns: the land in sight,
Smiles beam on every face!
The pale and qualmy passengers
Begin the deck to pace,
Seeking along the sun-lit cliffs
Some well-known spot to trace.

Only the orphans do not stir,
Of all this bustling train;
They reach'd their *home* this starry night!
They will not stir again!
The Winter's breath proved kind to them,
And ended all their pain.

But in their deep and freezing sleep
Clasp'd rigid to each other,
In dreams they cried "The bright morn breaks,
Home! home is here, my brother!
The Angel Death has been our friend—
We come! dear father! mother!"

MR. RAREY'S SYSTEM OF HORSE-TAMING.

The renowned tamer of Cruiser, Stafford, and a thousand other fiery steeds, hitherto unsubdued by mortal man, recommenced his exhibitions on Saturday morning at the Alhambra Palace, Leicester square. His process is no longer a secret; and while we are disabused of the idea that he is in possession of some occult charm by means of which he controls the vicious impulses of the most ferocious or obstinate animal, we are left to admire the combination of courage and gentleness, firmness and command of temper exhibited by Mr. Rarey. A select audience witnessed his efforts yesterday, and could scarcely refrain from vigorous applause at their success. At 12 o'clock Mr. Rarey entered the arena, followed by a groom leading a somewhat clumsy horse, which seemed on extremely good terms with both his attendant and Mr. Rarey, who fondled and played with him, running around the ring, the horse trotting after him and coming to his call, holding his cap in his mouth and dropping it at Mr. Rarey's feet like a well-trained dog. This horse was the renowned Cruiser, that incarnate devil of horseflesh, who, a few month's since, was the dread of every groom in Lord Dorchester's service, and perfectly unapproachable; then, ferocious as a tiger; now, gentle and gamesome as the best-trained palfrey in Rotten Row. Another horse, which had already received some lessons in the art of good-behavior, was introduced for the purpose of illustrating Mr. Rarey's method, the various steps of which were carefully explained and illustrated. During this part of the exhibition, loud snortings and stampings in the region of the stable had been distinctly audible to the audience, clearly indicating the neighborhood of one of those vicious animals which Mr. Rarey had undertaken to subdue. Mr. Rarey announced that a well known horse, King of Oude, the property of Mr. Parr, of Hackleton, near Northampton, had been consigned to his care by the owner, and read a letter from that gentleman describing the intractable nature of the animal. He had not recently been shod, no farrier daring to approach him for the purpose. The wooden fittings of his manger had been taken down and iron was now substituted; and so great was his ferocity that he had been condemned to a bullet, and only spared in order that Mr. Rarey might try his skill. One man only dared come near him, and that with great caution. Once this groom even was struck down, and would certainly have lost his life had not assistance promptly arrived. The expectation of the audience was at the highest pitch; a loud trampling was heard, and in another moment the equine savage rushed into the ring. A powerful bit was in his mouth; one groom held him by an iron bar attached to the curb—another by a long rein. Thus guided he was unable to touch either of his attendants; but reared wildly, gnashing his teeth and snorting, and growling like an angry leopard. Mr. Rarey calmly faced him, and, taking the leading-rein from the groom's hand, slowly approached the horse and patted him on the nose. A loud snort and savage attempt to bite were the reply. This having been repeated several times, Mr. Rarey dismissed the remaining attendant, with his iron bar, and the vicious horse and his master that was to be were alone in the ring. By a quick movement, Mr. Rarey threw the rein over the horse's neck, and with a firm hand pulled his head round to the right, planting himself at the opposite shoulder. Then began a fearful struggle. The horse wheeled in rapid circles, reared, struck with his fore feet, and ominously showed his formidable teeth. Mr. Rarey stood his ground bravely—the pivot, as it were, on which the horse's body turned. Forced round the circle, nearly prostrated by the rapid gyrations of the animal, he never missed his footing or lost his perfect self possession, but with a gentle, though strong hand, retained his hold of the bridle, occasionally patting and caressing the horse. At length, holding the rein between his teeth, he drew from his pocket a strap with a buckle, and quickly placed it round the fetlock. The horse plunged, and in an instant the strap was drawn tightly and the leg bent double. "Now," said Mr. Rarey, "he is quite safe—he can't run faster than a man." The horse was evidently astonished at finding himself deprived of the use of one limb, reared, struck out violently with the free leg, and endeavored to gallop across the ring. But the inseparable Rarey was ever at his shoulder, calm, kind, but immovable. In a few moments another strap was deftly passed around the other fetlock, and with a quick pull the horse was jerked on to his knees, both fore-legs being now strapped up. With mighty plunges he endeavored to regain his footing, rearing and attempting to bite, but in vain. The veins swelled, the muscles rose like knotted cords on his legs, and the sweat poured from his skin. Grinding his quivering nostrils against the ground, he bit desperately at the straw, then again reared, and fell heavily on his side, Rarey being prostrated by the shock. Quickly on his feet, the calm, prompt tamer wiped his brow and placed his foot on the prostrate horse. The repose was but for a moment. Again the struggle was renewed. The animal again plunged, and again fell, sometimes on his knees, sometimes on his side. For more than half an hour the contest between brute ferocity and human courage and patience continued. Then, exhausted in brain and body by his tremendous efforts, the horse lay panting and heaving, and Mr. Rarey lay, too, by his side. He lifted the now feeble legs and passed the hoof across his face; he bestrode the fallen animal, and vaulted over his head and neck, caressing him, and gently removing the sweat with a handful of straw. He took the head between his hands, and forcing open the mouth, showed the deadly array of teeth. Then he removed the straps and knee-caps and assisted the horse to rise. Trembling with exertion, covered with reeking sweat, thoroughly mastered by the, to him, incomprehensible power possessed by the man, subdued by his kind caresses and gestures, no less than by his courage and patience, the equine savage of an hour before followed him meekly around the ring. The drum was then brought, and having been passed gradually across his nose and neck that he might be accustomed to its contact, was placed on his back and beaten, at first gently, then very loudly. At the first sound his ears were pricked forward, but he quickly resumed his patient demeanor. Rarey leaped lightly on his back, and as lightly off again; then led from the ring, docile as a child's pony, the conquered King of Oude.

We have described at some length this really extraordinary exhibition, because hitherto the general public had no opportunity of witnessing Mr. Rarey's achievements. His secret—if secret it can be called, when all the world knows the power of mingled kindness and firmness in subduing savage natures—is now known, and we wish his philosophy could be adapted to matters of even more social importance than horse-taming. On Saturday next another exhibition will take place, and another ferocious quadruped be brought forward.

On Thursday, Mr. Rarey gave another exhibition, to which he invited his old pupils. The King of Oude was again introduced, and a nervous filly also received a lesson. Mr. Rarey was warmly applauded.

WELLINGTON'S ACCOUNT OF WATERLOO.—Bonaparte I never saw; though during the battle (Waterloo) we were once, I understood, within a quarter of a mile of each other. I regret it much, for he was a most extraordinary man. To me he seems to have been at his acme at the peace of Tilsit, and gradually to have declined afterward. At Waterloo he had the finest army that he ever commanded; and everything up to the onset must have turned out as he wished. Indeed, he could not have expected to beat the Prussians, as he did at Ligny, in four hours. But two such armies as those at Waterloo have seldom met, if I may judge from what they did on that day. It was a battle of giants! a battle of giants! Many of my troops were new; but the new fight well, though they manœuver ill; better, perhaps, than many who have fought and bled. As to the way in which some of our ensigns and lieutenants braved danger—the boys just come from school—it exceeds all belief. They ran as at cricket. When it was all over, Blucher and I met at La Maison Rouge. It was midnight when he came; and riding up, he threw his arms round me and kissed me on both cheeks as I sat in the saddle. I was then in pursuit, and as his troops were fresh I halted mine, and left the business to him. (In the day I was for some time incumbered with the *corps diplomatique.* They would not leave me, say what I would.) We supped afterward together, between night and morning, in a spacious tent erected in the valley for that purpose. Pozzo di Borgo was there among others; and, at my request, he sent off a messenger with the news to Ghent, where Louis XVIII breakfasted every morning in a bow window to the street, and where every morning the citizens assembled under it to gaze on him. When the messenger, a Russian, entered the room with the news, the king embraced him; and all embraced him, and one another, all over the house. An emissary of Rothschild was in the street, and no sooner did he see these demonstrations than he took wing for London. Not a syllable escaped from his lips at Bruges, at Ostend, or at Margate; nor till Rothschild had taken his measures on the

Stock Exchange, was the intelligence communicated to Lord Liverpool. On that day I rode Copenhagen from four in the morning till twelve at night. (And when I dismounted he threw up his heels at me as he went off.) If he fed it was on the standing corn, as I sat in the saddle. He was a chesnut horse. (I rode him hundreds of miles in Spain, and at the battle of Toulouse.) He died blind with age (twenty-eight years old) in 1835, at Strathfieldsaye, where he lies buried within a ring fence.

A Good Example.—After the campaign of Italy, in the year 1799, when Souvaroff returned to St. Petersburg, Paul did not display much feeling of propriety in sending Koutaissoff to compliment the illustrious General upon his safe arrival. The witty and sharp warrior said to him, "Excuse, my dear count, an old man, whose memory slackens. I can recollect nothing about the origin of your illustrious family, or perhaps you got your title of Count for some grand victory?" "I never was a soldier, Prince," replied the ex-valet. "Oh! then, you have no doubt been an Ambassador?" "No!" "Minister?" "Neither." "What important post then did you occupy?" "I had the honor to serve his Majesty in the capacity of "butler." "Well, that is very honorable, my dear Count." In this instant he rang the bell for his own butler, and addressed him in the following strain: "I say, Troschka! I have told you repeatedly every day, that you must give up drinking and thieving; and you don't listen to me. Now, look at that gentleman—he has been a butler like yourself, but being neither a drunkard nor a thief, you see him now a great equery-in-waiting to his Majesty, a Knight of all the Russian orders, and Count of the Empire! You must follow his example."

The ——— Railroad Company issued the following order: "When engines are approaching each other on the separate tracks, engineers are required to bring their respective trains to a *dead halt* before the point of meeting, and *not proceed* till each train has passed the other.

OLD POETRY.

Surely there is something beautiful in the following elegy on his wife, written in the seventeenth century, by Dr. Henry King. The tenderness, the pathos and simplicity of the style, are alike admirable:

Sleep on, my love, in thy cold bed,
Never to be disquieted!
My last good night! thou wilt not wake
Till I thy fate shall overtake;
Till age, or grief, or sickness, must
Marry my body to that dust
It so much loves, and fill the room
My heart keeps empty in thy tomb;
Stay for me there; I will not faile
To meet thee in that hollow vale;
And think not much of my delay,
I am already on the way,
And follow thee with all the speed
Desire can make, or sorrows breed;
Each minute is a short degree,
And every hour a step toward thee.

At night when I betake to rest,
Next morn I rise nearer my west
Of life, almost by eight houres saile
Than when sleep breathed his drowsie gale.

Thus far from the Sun my bottom steares,
And my dayes compass downward bears;
Nor labor I to stemme the tide
Through which to thee I swiftly glide.

'Tis true, with shame and grief I yield,
Thou like the vanne first took'st the field,
And gotten hast the victory
In thus adventuring to dy
Before me, whose more years might crave
A just precedence in the grave.

But hark! my pulse like a soft drum
Beats my approach, tells thee I come;
And slow howe'er my marches be
I shall at last sit down by thee.

The thought of this bids me go on
And wait my dissolution
With hope and comfort dear, (forgive
The crime.) I am content to live,
Divided, with but half a heart
Till we shall meet and never part.

Old Bachelors! you are growing old, and your personal attractions are taking wing! Be warned in time! There was a "Bachelor's Thermometer" once faithfully kept by the author of "Grimm's Ghost," to portions of which "we now proceed to invite the serious attention" of the bachelor readers of "The Drawer." At thirty-six, he discovers his hair to be growing thin. He buys a bottle of "Tricosian Fluid," but finds it a "flattering unction." Thinness of hair increases, awakening serious thoughts of a wig. He meets an old college friend with a "thatch" that makes him look "like the devil in a bush,' who mystifies him with the remark that he "*wears* well." About this time he gives up cricket-playing. The air about the grounds is so bad that he "can't run in it, without being out of breath!" He finds some solace for his mortified vanity in the sight of eighteen bald heads in the pit at the opera. "So much the better; the more the merrier." By this time, too, he is growing fat: "Tried on an old great-coat, and found it an old little one. How cloth shrinks! Red face putting on shoes. Bought a shoe-horn; Remember quizzing my uncle for using one; but was then young and foolish." A year after, he records: "Several gray hairs in whiskers; all owing to carelessness in manufacture of shaving soap. Remember thinking my father an old man at thirty-six." The following year he gives up country dancing: "Money musk is certainly more fatiguing than formerly. Fiddlers play it too quick! Wondered how sober mistresses of families could allow their carpets to be beaten by quadrilles. Met two school-fellows; both fat and red face. Used to say at school that they were both of *my* age; what lies boys tell!" A year elapses: "Gout again! That disease certainly attacks young people more than formerly!" The next entry is: "Bought a hunting belt. Braced myself up till ready to burst. Intestines not to be trifled with; threw it aside. Young men nowadays much too small in the waist. Read in the *Times* an advertisement of 'pills to prevent corpulency;' bought a box. Never the slimmer, though much the sicker." A growing dislike to the company of young men, all of whom "talk too much or too little," succeeds; until, at the age of forty-nine, with "top of head bald," he resolves "never to marry for anything but money or rank." A year after, "the age of wisdom," he marries his cook.

Thackeray.—Unlike Dickens, Thackeray has more genius than geniality. Where there is genius of the highest kind, the geniality will be always in proportion, as we see in the illustrious instance of Shakspeare. But in genius of a high kind, though not of the highest geniality, as in the case of Dante, may be altogether wanting. Without genius of the highest kind, without genius of a high kind, Thackeray is as destitute of geniality as it is possible for a man of genius to be. Even more important than faith in God is faith in human nature. This faith Thackeray does his utmost to destroy. He paints; he seldom caricatures; but he seems to delight in painting only such life as can be seen in London clubs and in Paris hells. Every man has ugly leprous spots in his own nature, which the evening Deities continually thrust before his eyes. Why, to kill shame, or hope, or nobleness in his soul, should you in addition drive him into an atmosphere heavy with the stench of all the infamous? You make fresh pollution when continually stirring the pollutions. Let the pollutions alone, unless, like Hercules, you can turn a river in upon them to carry them away. Glancing back for a hundred and fifty years, Thackeray could see nothing but four detestable kings. Glancing around, he could see nothing but Palmers that murder, Robsons that swindle, and universal snobbery. I dare say all the while Thackeray, as prosperous author and prosperous lecturer, contrives in the midst of this foul and horrible world to make himself very comfortable. Your misanthropist, or pretended misanthropist, loves at least one man well. Quarelling with Thackeray's cynicisms, do I likewise quarrel with his style? Not as style, for few styles can be better. I object to it that it is an elaborate imitation of English style in the Addisonian period.

A New Recipe for Sleeplessness.—Mr. Russell relates the following in his "Diary in India": Our friend, the Thakoor, also visited us, and he excused the non-appearance of his little son on the ground that he was asleep under his waterfall. I had almost omitted to mention the curious habit of the hill people, to which this phrase of the Thakoor's relates. Whenever a woman wishes to put her child to sleep, she takes it to one of the numorous places for this purpose, which are all over the mountain sides wherever there is water. They consist of a shed or sheds, in which there are stone troughs filled from the running stream; and from these troughs are little pipes made of reeds, or hollow stems of trees, which spout out water with a gentle trickling fall, under which the child's head is placed at the distance of a few inches. The effect is almost immediate. The child closes its eyes and its mouth and falls into a profound, sweet and healthful sleep, which endures as long as it is left under the water-spout. I have seen dozens of children thus lying fast asleep; and, as far as I could ascertain, no evil effect whatever can be attributed to the practice. It certainly seems an admirable preparation against colds in the head; and if a devoted mother would only make the experiment in this conntry, and it were found successful, she would be regarded as a blessing to her species in introducing such a delightful custom, pleasant to children and invaluable to parents.

Doctor Samuel Johnson's dislike to the Scotch is well known. On his return from a trip to the land of cakes, he was asked what he thought of the country? "It is a mean country, sir; a contemptible country, sir," quoth the Doctor. "You cannot do the Almighty the great wrong to say that, sir," answered the other, deeply nettled at this harsh judgment: "God made Scotland, sir!" "Yes sir," was the cutting rejoinder, "God *did* make Scotland, and it is a proof of His wisdom that he made it such as it is, sir; *He made it for Scotchmen!* God made hell, sir!" This corrollary put an end to the conversation.

A HOME FANCY.

Loved well, when pausing in the twilight meadow,
Thou first vouchsafed thy plighted troth to me,
All heaven then trembling in the sunlit shadow
Eve showered around us from thy trysting tree.

Loved more, when joy-bells chimed our nuptial hours,
While bridal maidens grouped thy form beside;
And on thy raven hair sweet orange flowers
Marked my betrothed fair—my blooming bride!

Loved most, when nestled by our home-hearth's shining,
Our first wee prattler clinging to thy knee,
I saw, through thy dear eyes, thy soul divining
The Lover, Husband, Father, blent in me.

A Deserted Beauty.—At my time of life I seldom or never go to parties; but last Summer I was persuaded, when at Cheltenham, to attend one of these festivities at the house of a very old and dear friend. At the conclusion of the party, as I was going away, I happened to look into a back drawing-room which I thought was empty, and there I saw a figure which I shall never forget. It was that of an "old young lady," on whom fifty winters had cast their blighting influence, but who, nevertheless, maintained a youthful style in her dress and general appearance, which was very dreadful to behold, and to support which the resources of art had been had recourse to in a very unmistakable manner. She was sitting in an empty room, with the lights flaring and the daylight streaming in upon her, and was *playing at patience at a deserted card table.* It was a celebrated beauty who was thus occupied, and as I looked and remembered what she was once, and what she might have been, I asked myself whether this was a brilliant termination to a career?—*All the Year Round.*

SEEING LIFE WITH BALZAC.—Now and then, in his study of character and quaint search for quaint names, which he assiduously collected from signs, Balzac would invite M. Werdet, his publisher, to accompany him through the lower parts of the Cite, and have a regular day's debauch, in which the publisher paid the piper. On one occasion, Balzac invited him to dine with him at Very's, after a long day's research. This was a bill of fare which De Balzac conscientiously selected and devoured for himself, as his companion was suffering from a billious attack: One hundred Ostend oysters; twelve cutlets, with parsley, au naturel; a duck and turnips; a brace of parsnips; a sole, a la Normande; without counting the *hors d'œuvre* and desert, all washed down by the finest wines. When dinner was over, De Balzac asked the publisher for money, but, unfortunately, he had only forty francs, and, besides, had been invited to dinner. Of course, that was not enough for the author, so he only accepted five francs, which were passed him under the table, and then called loudly for the bill. When it arrived, he took out his pencil and wrote a few words at the bottom, then handing it, with the five francs, to the waiter, he told him to give it to the dame de comptoir, from M. Honore de Balzac. M. de Werdet, naturally curious about this new way to pay a debt, inquired what was the meaning of it all, when they reached the Palais Royal Gardens. but De Balzac merely told him he would find out to-morrow. All at once they met two friends, and De Balzac insisted on Werdet producing some money for them to play with. Twenty francs were soon lost, while De Balzac was entering into a profound calculation of how he would spend the money when the bank was broken. Then De Balzac went and borrowed forty francs of his heraldic engraver, which followed the others. The next morning M. Werdet received an explanation of the dinner and its consequences. First, he was handed a bill from Very's for sixty-two francs; then an order from the engraver for forty francs; altogether, the day's debauch cost him about one hundred and fifty francs. But that was little enough for the honor of having been in De Balzac's company a whole day.

DEFECTS of language always go deeper than language. There is extreme confusion in our modern speech, because there is extreme confusion in our modern ideas; and we think we have profound ideas because we have confused ideas; whereas, the definite is ever the vestibule to the profound. The tendency of mind in these days is incessantly to express the inexpressible. This is the presumption of an inordinate poverty which knows not how poor it is. There is no reverence because thought is sterile, and thought is sterile because it is not persistent. Well do the Germans call devotion *andacht*, which indicates rich memory of God, pertinacious thinking on God, no less than ecstatic panting for God. The grandest inspirations are but the sudden flames of continual aspiration. How little, however, these continual aspirations are compatible with our modern impatience, which plants in the evening and would fain reap in the morning. I am, myself, a kind of extemporaneous man; yet in utterance only; the flowers burst forth in a night, but the saps have circulated with no feverish impetuosity. As, however, I too may have often mistaken confused ideas for profound ideas—often endeavored to express the inexpressible—often been irreverent in thought from sterility of thought—often sterile in thought from not being persistent in thought. May I, as well as my brethren, more and more learn *andacht* in its utmost potency, in its utmost plenitude of meaning.—*Critic.*

A STAID and demure Quaker lady entered a dry goods establishment, with the intention of making purchases. The salesman commenced praising his own goods, at the expense of his neighbors', stating, at the same time, what great saving in expense she would make by purchasing of him. She heard him silently. for a time, and finished the conversation by quietly saying: "Friend C., what a pity it is that it is a sin to lie, when it seems so necessary in thy business!"

Railway in the Desert.—An ingenious gentleman has a proposition for turning the sands of the desert to good use—in short, of burning them into lumps for the construction of a tunnel. The sands of the desert, he says, consist, during nearly their whole length, of soda, lime, and certain salts. At the heat of ordinary furnaces these sands do not fuse, but when subjected to from 2,000 to 4,000 degrees of heat, they form no glass, but agglomerations sufficiently strong for the formation of durable works. This result is proposed to be arrived at by concentrating the rays of the sun by means of an Archimedean mirror. Thus arched blocks are to be cast, which, placed one against another, will form a tunnel as far as the desert extends. This tunnel, it is said, might easily be protected against the simoon and the columns of sand; and supplied with water from artesian wells, would be the grand central artery of Africa.

Life in a Campaign.—In Spain I shaved myself over night, and usually slept five or six hours; sometimes, indeed, only three or four, and sometimes only two. In India I never undressed; it is not the custom there; and for many years in the Peninsula I undressed very seldom—never for the first four years. English horses are the best of all for military service; and mares are better than geldings. They endure more fatigue and recover from it sooner. War in Spain is much less of an evil than in other countries. There is no property to destroy. Enter a house, the walls are bare; there is no furniture. ——, when at our headquarters in Spain, wished to see an army, and I gave directions that he should be conducted through ours. When he returned he said, "I have seen nothing—nothing but here and there little clusters of men in confusion; some cooking, some washing, and some sleeping." "Then you have seen an army," I said.

I am persuaded that whenever a man smiles, and more so when he laughs—if it be but genuine—it adds something to his fragment of life.—*Sterne.*

We have heard it said, and have no doubt of the fact, that the following beautiful passage by Bishop Heber, suggested to the lamented Cole his series of pictures entitled "The Voyage of Life:"

"Life bears on like the stream of a mighty river. Our boat at first glides swiftly down the narrow channel, through the playful murmurings of the little brook, and the windings of its grassy borders; the trees shed their blossoms over our young heads, and the flowers on the brink seem to offer themselves to our young hands; we rejoice in hope, and grasp eagerly at the beauties around us; but the stream hurries on, and still our hands are empty.

A good lady, who had two children sick with the measles, wrote to a friend for the best remedy. The friend had just received a note from another lady, inquiring the way to make pickles. In the confusion, the lady who inquired about the pickles, received the remedy for the measles, and the anxious mother of the sick children read with horror the following: "Scald them well three or four times in very hot vinegar, and sprinkle them with salt, and in a few days they will be cured."

Prentice thinks on old man makes love at a disadvantage. It must be a very amorous sort of a wink that can captivate through a pair of spectacles.

Answers to Correspondents.

Since the issuance of our prospectus, we have received communications which we reply to:

D. D. S.—We are obliged by your offer; but our intention is *strictly to exclude party questions.*

A. W. G.—The article exhibits much good feeling, but the style is crude and the reasoning illogical. Try again.

H. Warten.—Your favor is received; it shall have early admission to our work. *You assure us it is original;* we can only say it displays marked ability; but we wish your real name to appear.

PROSPECTUS

Of the

SAN PASCUAL PLANTATION

INCORPORATED MARCH 31st, 1870,

For the Cultivation of

Semi-Tropical Fruits and other Productions,

In a Tract of 1750 Acres,

NEAR LOS ANGELES, CALIFORNIA.

◆

Office, 344 *Montgomery Street, San Francisco.*

◆

CUBERY & CO., PRINTERS,
536 MARKET STREET, SAN FRANCISCO.
1870.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

OFFICERS:

PRESIDENT,

JOHN ARCHBALD.

VICE PRESIDENT.

R. M. WIDNEY.

TREASURER,

LONDON AND SAN FRANCISCO BANK.
(Limited.)

DIRECTORS.

JOHN ARCHBALD,
R. M. WIDNEY.
N. HEATH,
C. J. KING.
J A. EATON.

SECRETARY,

W. J. TAYLOR.

GENERAL AGENT,

J. A. EATON.

OFFICE—344 *Montgomery Street, San Francisco.*

PROSPECTUS.

Whilst the rapid development of the resources of the State of California has attracted the attention, and caused the wonder of the whole civilized portion of our globe, it has been matter of remark that the southern portion of the State has been hitherto comparatively neglected. This is no longer the case. The attention of our community has been at last aroused, the southern counties are becoming occupied, and the extraordinary advantages of the soil and climate, and their adaptability for the growth of a class of agricultural and horticultural products of peculiar value, are now recognized.

The area of the southern counties of the State of California susceptible of cultivation may be stated as about equal in extent to the whole of the State of Massachusetts, and although most of this land has been taken up, but a very small portion is under cultivation—in proof of which it may be stated that in the Valley of Los Angeles, containing about 800,000 acres of land, there were, on the

31st December, 1869, less than 36,000 acres cultivated in any way.

The climate of these counties is not surpassed in any portion of the world—mild and warm, without the intense heat of the plains further east. The soil is rich and highly productive.

The desultory experiments in cultivation of these lands and the small amount of labor bestowed on them, have demonstrated beyond doubt, that for the growth of all the semi-tropical, and some of the tropical fruits, there is no country in the world better fitted than the valleys and foothills of the southern portion of this State. The grape flourishes luxuriantly, is remarkably free from disease, requires no irrigation and the soil and climate are equally well adapted to the growth of the orange, lemon, lime, citron, fig, walnut, olive, almond and filbert, and at the same time wheat, barley, corn, potatoes, cotton, tobacco and sugar-cane thrive well. Beets and peanuts have also been raised successfully and profitably.

Bearing in mind these facts, that almost all the products above named are staples of commerce, the demand for which is constant—that we have in this State the climate and soil proper for their production—that they can be produced not only successfully, but at a cost so small when compared with their market value that the profit to the producers is larger than in any other *bona fide* business now in operation, (which is shown further on) and, finally, that in the annual reports of the U. S. Commissioner of Agriculture, allusion has, year after year, been made to the non-development of the capabilities of portions of the national domain for the growth of tropical fruits, it is, indeed, to be wondered at that the enterprise and capital of our community on this Pacific Coast have not long ago been embarked in the business.

With this view the SAN PASCUAL PLANTATION has been incorporated for the purpose of cultivating and dealing in the semi-tropical fruits. The tract of land fixed upon for the operations of the Company, and already secured for that purpose, consists of 1,750 acres of the San Pascual Rancho, situate in Los Angeles County, and distant 9 miles from the City of Los Angeles, from whence there is communication by railway (20 miles) to Wilmington, and the well known shipping port of San Pedro. The title is perfect, consisting of Spanish Grant, confirmed by the United States Government. The capital stock of the Company is fixed at two hundred thousand dollars ($200,000), divided into four thousand (4,000) shares of fifty dollars ($50) each—with power to increase, should the *Company at large* so determine. Ten dollars will be paid on each share as the first installment (out of which part payment for the land will be made) and five dollars per annum thereafter, for eight years, if it shall be found necessary to collect the installments for so long a time.

The land is bounded on the north by a ditch constructed at a cost of over $10,000, by which water is brought from a cañon of the Sierra Madre Mountains, and by which the whole of the plantation can be irrigated if found necessary. The ditch is the property of the Company, as is also the sole right of all the water which comes down the cañon.

The Sierra Madre Mountains are distant only a few miles from the plantation. They are heavily wooded, and will afford an inexhaustible supply of timber for building and other purposes.

The plantation is in the immediate neighborhood of some of the best and most productive orange orchards and vineyards in California. It adjoins the famous orange orchard and vineyard of the Hon. B. D. Wilson, (known as the Lake Vineyard), whose oranges are celebrated in the San Francisco market for their superior quality, and command higher prices than any others. Mr. Wilson has on ten acres of his land 600 orange trees 9 years old, and the yield of these for the past year averaged 1200 oranges each. The average price obtained for them was 3 cents each, at which rate the income from the 10 acres was $21,600—equal to $2,160 per acre per annum. The Company's plantation is distant only 5 miles from the old mission San Gabriel, at which are orange trees over fifty years old, and the average yield of these trees this last season was 3,000 each. (One tree 82 years old, one year bore a crop of 5411.) Rose's celebrated orange and walnut orchard is distant only three and a half miles from the San Pascual Plantation.

It is believed that 70 orange trees to an acre will allow sufficient room for the growth and spread of the trees—then averaging the yield at only 1,000 each, and assuming the absurdly low rate of $5 per thousand (half a cent each) the gross income from the ground would equal $350 per acre per annum. The cost of cultivation of the ground does not exceed $40 per acre per annum. Orange trees will commence bearing at 7 years of age, but trees can be bought 2 or 3 years old, so that a crop can be ensured in 4 or 5 years after transplanting.

The above is based on present prices and present means of conveyance. If the market were limited to San Francisco, or even to the entire Pacific slope, a largely increased supply would undoubtedly soon bring down the price. Already, however, the Pacific Railroad gives us access for such merchandise to the Atlantic and Central States; and inquiries have been made by parties in the East how many oranges we could furnish and at what price. This advantage will be greatly increased when the Southern Pacific (or other) railroad, shall make it practicable to send the fruit almost directly from the field to market, instead of, as now, from the field to a shipping port, thence by sea to San Francisco, and thence by another transshipment to its destination. But nothing will so largely contribute towards the opening up of railroad communication through that section of the country, as the developing of its resources in a way to bring population for its passenger traffic and produce for its freight trains.

The cultivation of the raisin grape is equally profitable as that of the orange. Raisin grapes have been grown on the Azusa Ranch (see map) for several years past, and the raisins are superior in quality to any imported, except those packed in cartoons. Experience has demonstrated that a *net* profit of $300 per acre per annum can be realized from the cultivation of the raisin grape in Los Angeles County.

Hitherto only oranges and grapes have been spoken of, but it would be a very great mistake to suppose that these alone deserve attention. The lemon is scarcely inferior in importance; and olives, and the different kinds of nuts present nearly equal prospects of advantage. *On some of them the rate of Custom House duties, levied under our present tariff, would be a paying price to sell at*, while in regard to all, the lower price of land, the superior climate and the home market are advantages which more than compensate for the higher price that might have to be paid for labor.

If a walnut tree, in full bearing, should yield 100 pounds, and if the product would net no more than the amount of present duties, the clear profit on a tree would be $3, and on an acre of 40 trees, $120. The almond, yielding the same crop, would give $6 per tree, or $360 per acre of 60 trees. The fig, with the same yield, would return $5 per tree, or $500 per acre of 100 trees. And what may not be said of the olive, with a duty 50 cents to $1 per gallon of oil?

In the production of the orange, California has the great advantage over any other country, that the crop need never be forced on the market, should the market be overstocked and the price low. This fruit has this extraordinary property, beyond all other fruits, that it may remain on the trees uninjured for two or three months after maturity. The orange orchards of Los Angeles are in bearing nearly all the year. For these reasons the crop need never be sacrificed, but may always be so managed as to command the highest market price.

When we contemplate the extension of railroads in every direction, the multiplication of towns and cities, and the increase of population by more than a million yearly, and when we consider that the southern section of California, being the most accessible source of supply, must command this vast and growing market, it seems almost impossible that the supply can keep pace with the demand.

It may, and probably will be urged against the statements made herein, that some time must elapse before the profits can be made available to the shareholders, but it is not necessary to wait the slow maturing of the orange, lemon, and nut trees before deriving any revenue from the land. Grapes of the choicest and finest descriptions can be packed, and raisins can be placed in the market on the third year after planting the vines. The ground can, in the meantime, be made available for the growth of feed (wheat, barley, corn, etc.) for the employees and cattle of the Company, and potatoes, beets, peanuts, etc., can be grown between the trees whilst they are coming to maturity, and judging from what has been already done, can be made to yield a large profit to the Company. As instances of this in Los Angeles County, Mr. C. E. White cleared a *net* profit of $95 per acre per annum, from the sale of peanuts planted between the trees in his walnut orchard. Mr. G. D. Compton raised potatoes, which sold at one and a quarter cents per pound *netted* him a profit of $505 per acre; and he has also raised beets at 50 tons to the acre. These instances might be multiplied, but it is thought that enough evidence has been adduced on this point. It may, however, be mentioned that the Company have already, since their purchase of the plantation, had various offers to lease portions of the ground for agricultural pursuits, and for the purchase of a considerable part of it at a large advance on its cost.

It is pertinent to the question of the value of the plantation, as shown by its peculiar advantages, and adaptability for the purposes of the Company, to quote, as under.

Mr. Thomas A. Garey, of Los Angeles, practical semi-tropical nurseryman, apiarist, and silk culturist, writes: "In regard to the San Pascual "Ranch just purchased, I can truly say that it is "my opinion you have secured the best location in "all Southern California for the business contem-"plated by the Company. The soil is of the first "quality for orange culture. * * * *. This "ranch is also well protected from winds. * * "* * On the whole I am so well pleased with "the purchase that I am willing to take stock (as "agreed) to the amount of three thousand dollars "in the enterprise, and hope to see it prosecuted "as vigorously as circumstances will permit."

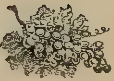
Mr. Alfred Higbie, surveyor, a resident of Los Angeles Co., and who has had much experience in agriculture and fruit growing, writes: "I think it "(The San Pascual Plantation) well adapted to the "growth of the orange, lime, lemon, fig, olive, and "in short all the semi-tropical fruits, as well as "the walnut, chestnut,pear, quince, peach, etc., and "especially the raisin grape. The soil is fine and "rich. The climate is warm, mellow and beautiful, and can hardly be surpassed. * * * * "I know of no place on this coast, or elsewhere, "where the native, as well as the foreign varieties "the grape, can be produced in greater perfection "than on the San Pascual Plantation. I am well "satisfied that several varieties of the raisin grape, "such as the Fiher-Zagos, Rose of Peru, White "Muscat of Alexandria, White Napoleon, etc.. "can be made profitable the fourth year, by proper "attention. I have visited all the celebrated vine-"yards on the Pacific Coast, from the Cucamongo "to the Natoma, and I have seen no place and "know of none to surpass this for the culture of "the raisin grape. I am satisfied, from my own "experience and observations, that the orange tree "can, by careful cultivation on your land, and "valuing the oranges at half a cent each. be made "to produce on the ninth year, $10 per tree, or "$700 per acre—and this income would increase "every year thereafter."

Parties seeking investments should bear in mind that the operations of the San Pascual Plantation have "real estate" as their basis, and that long before the shares are paid up, the value of the land will—by simple lapse of time—probably have raised them to many times their par value.

The originators of this enterprise believe that in presenting it to the public, they are offering an opportunity for a first class, *bona fide* investment, and that the SAN PASCUAL PLANTATION will be the precursor of many other Companies, and the first to open out a new and highly profitable trade with the East and with Europe.

The Directors of the Company are well known to our community and are qualified by their knowledge of the Plantation and the proposed business of the Company to hold their positions. Their names are: President, John Archbald; Vice-President, R. M. Widney; Directors: John Archbald, Nath. Heath, R. M. Widney, Charles J. King and J. A. Eaton; Treasurer, London and San Francisco Bank.

Maps of the land and Prospectus can be obtained at the office of the Company, No. 344 Montgomery Street—and the Secretary will be prepared to give full information on all matters of interest to intending subscribers for stock.



6

THE

California of the Padres;

OR,

FOOTPRINTS OF ANCIENT COMMUNISM.

By Mrs. Elizabeth Hughes.

San Francisco:
Published by I. N. CHOYNSKI, Corner Second and Jessie Sts.
1875.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

[Entered according to Act of Congress, in the year one thousand eight hundred and seventy-four by

I. N. CHOYNSKI,

in the office of the Librarian of Congress at Washington.]

DEDICATION.

To all those whose interest in the present of our noble State, and hopes for its rapidly unfolding future, lead them to look back to its singular and remarkable past, this little work is dedicated.

With no party feeling, no sectarian bias, to the great heart of humanity, I confide these pages, and should any chord throb in unison with mine, as we retrace the marvellous history of our State, and point to the possibilities of its future—in that I shall find my best reward.

From all those to whom familiar scenes and places may be endeared by the associations of unselfish effort and brave endeavor, I invite a hearing, and from those to whom in any land California is dear as the homes or resting place of some loved being, I bespeak a kindly welcome for these pages.

E. H.

THE

CALIFORNIA OF THE PADRES;

OR,

FOOTPRINTS OF ANCIENT COMMUNISM.

By Mrs. ELIZABETH HUGHES.

Looking at the progressive and liberal movement of the present century, it appears, superficially considered, like a vast process of disintegration, which alike menaces danger to the individual and destruction to present political and social systems. It is only when we look deeper that we see that this young, new and glowing life throbbing in the veins of the present century, means neither death nor decomposition, but struggle to throw off effete conditions, which shall result in a more complete return to spiritual and physical health, both on the part of society and of the individual. Still, how much we have to learn, how deep the necessity of taking counsel with God in us, with God in each other, that we may know whither we are going and at what we are aiming, and do not fall into the many snares that beset us in the uncertain twilight of the day in which we live. To receive truth and light as naturally as the earth receives rain and sunshine is the soul's happy normal condition. In the conflicts of the present day it is sometimes interesting to turn for a while to the past, to remember what was before us on the land we now tread—we, the pilgrims of a day, so soon to pass away, even as those who preceded us have passed away in the long procession of the centuries, leaving behind them the memorials of their existence, their ideas in concrete matter, even as we enstamp ourselves on the images we ourselves create, and we are visible long after we cease to be so.

Will the reader now accompany me for a short time to the early days of California, long previous to '49, and make some acquaintance with the land and people, while the gold still slept in the hills, and herds strayed and fed over the millions which the strong hand of the Anglo-Saxon has torn from the soil? Scattered up and down our rapidly growing State, monuments of an epoch already past, stand the rudely built, yet picturesque edifices known as Missions. These consist of a church, generally substantially built of adobe and plastered, of a peculiar, but not ungraceful style of architecture, and various outbuildings subserving the purposes of barns, granaries or dwellings. These Missions, from their attractive situations, have often become the sites of towns, and, in many cases, the pueblos or villages formed by the settlement of the Spanish soldiers attached to the garrison of the Mission, the germs of cities.

Such is Los Angeles, the seeds of whose prosperity were sown by the grape culture introduced by the Padres, and whose flocks and herds, covering hill and valley, were mainly due to the enterprise and energy of men who, in the 17th and 18th centuries, worked not for themselves but for their idea of duty. That idea might not be yours or mine. It might not have been theirs, had they lived to-day, but they were faithful to it, and to-day the world reaps the fruit of the trees that they planted, and of the seed that they sowed. Father Ugarte, in 1701, imported cattle and breeding animals, and was the first white man who broke ground in California, for the purpose of raising grain. The Mission San Gabriel is nine miles from Los Angeles. It is built on slightly elevated ground, a noble structure overlooking the whole valley towards the east. The orange orchard of the Padres is still in full bearing. Father Zelueda first planted the vine in San Gabriel. He planted 75,000 stocks. This Mission was founded in 1771. 3000 Indians were attached to it. It possessed 100,000 cattle, 20,000 horses, and more than 40,000 sheep. There were superb orchards, and kitchen gardens well fenced by hedges of prickly pear, the remains of which exist to-day. And now, at this date, 1875, after an American occupation of so many years, the traveller as he passes along that beautiful and fertile valley, watered by its two rivers, the San Gabriel and the Los Angeles, on casting his eye on to the gentle slope of the beautiful mountain, sees an edifice that, at the distance, looks princely. On no other such building does the eye rest. American enterprise has reared nothing that so attracts the eye. It is the antique Mission of San Gabriel. On approaching nearer, you see that it is coarsely, though substantially built, as might be expected from its Indian workmanship; but it was planned from the soul, and still speaks to the soul.

Father Zelueda had negotiated with an American house to make a fence round the vineyard, and was on the point of having all the materials ready when the secularization took place. This community sent a ship to San Blas every year, loaded with oil, hemp and flax. Occasionally, one was despatched to Lima with soap and tallow. Bret Harte and others sneer at their treatment of the Indians. But are the Indians any better off to-day, lying around the streets of Los Angeles like masterless dogs, and half the time in the calaboose or chain-gang? There are races that seem never to rise beyond childhood, and need wise training. San Diego was the first Mission founded by the Franciscans in Upper California, and was called the Mother Mission; it is now called old San Diego, and is three miles from the shore. New Town, or

South San Diego is on the Bay, a beautifully situated and pleasant town. The Franciscans took possession of the country after the expulsion of the Jesuits, and founded most of the Missions in Upper California, as far north as San Francisco, which queen city of the Pacific was named after their patron saint. Lying in one of the most beautiful valleys south of the Tejon Pass, are the remains of the Mission of Santa Isabel. Where once the bell summoned the Indians to church, all is now silent. The American ranchero does not keep Sunday as a general thing. He sits and calculates the time when his earnings shall enable him to enter temporarily or permanently into the life of cities, or he enjoys in his isolation the glories and advantages which nature pours around him:—the unequalled climate, the mountain chase, the savage freedom, the independent life. The ruined church and buildings are now occupied as dwellings and storehouses, and the beautiful valley, with its gently rising hills, is a cattle ranch.

San Fernando, about twelve miles from Los Angeles, is remarkable for picturesque and tropical beauty. A widely extended valley, with nearly a level surface, bounded by distant ranges of mountains, at first presents itself. These mountains have a peculiarly barren look, but this defect is almost compensated for by the various and beautiful shades of color they assume—blue, brown and purple—contrasting finely with the clear transparent skies and with the even surface of the valley. The road is bordered by a low growth of shrubbery and cactus. On turning the point of a hill, you come suddenly upon the Mission buildings, which, with their surrounding gardens, stand seemingly isolated in the midst of a desert plain, and produce a most beautiful effect. The gardens were enclosed by walls, but the graceful palm rose above them, and groves of olive, lemon and orange trees could be seen within. Outside the walls, the surface is barren and gravelly, and the fertility within is the result of irrigation. The building presented an imposing appearance, having a long portico formed by a colonnade with twenty arches, built of brick or adobe, plastered and whitewashed. The floor was paved with tiles, and a pleasant promenade in front of the edifice was afforded. In the days of the prosperity of the Mission, a large fountain, with a circular basin ten feet or more in diameter, rose directly in front of the main building. This fountain is now in ruins. Its beautiful jet no longer refreshes the palm trees, and is blown back upon the flowers. A great variety of tropical fruits still exist there, bearing testimony to the skillful horticulture and industry of the community; and though the forms of the men who reared the colonnade and sought refreshment and relaxation in these walks, from the cares of business or from the labors of their mission, have long since passed away, their memory still survives in the breath of the orange blossoms, in the melancholy and sweetness of the palm, the tree of the desert, the tree of the solitary, communing more with the heavens than with the earth, disdaining to spread its branches near the soil, but lifting up in the blue air far above our heads, its flowers and its fruit. The message of peace and good will to man still flows forth from the vines which they planted, and the new plants with which they enriched the soil. I seem to see them yet, those men of peace and earnestness, those pioneers of the first Missions—Ugarte and Salva Tierra. Smilingly they greet the Franciscan, and congratulate him on his success. Can we not fancy that love for a spot so endeared by long years of toil and endeavor may yet draw them near a place sacred to so many recollections? Has Ugarte forgotten his beloved California, for which his hands and head toiled so willingly? Has Salva Tierra forgotten the privations of La Paz, which were crowned by the abundance of San Fernando? No. I think that in the glorious moonlights of that southern clime, the eyes of the seer might discern the forms of the Franciscans, as they glide through the colonnade or steal down the deserted walks, white with the rain of orange blossoms, to the ruined fountain. As they converse together they seem to smile, for with eyes unsealed and annointed with eternal day, they descry a brighter and happier time for the pleasant land of their adoption, when united effort shall bring back peace and plenty, and the laws of God written on the heart, brain and body of man shall be reverenced as much as that which is written in books, and they are in peace, *requiescat in pace*, for they are in love, and hope, and faith.

Let us go farther north. Near the city of San Francisco is the Mission Dolores, built about a hundred years ago. It consists of a church with quite extensive out-buildings. The adobe walls of the church are three or four feet thick. The church is still used for divine service. The screen behind the altar is decked with gilding and an harmonious mixture of colors, figures of saints in relief, rude but not unpleasing, suggestive of former times and of an earlier age. The ceiling is stained, the seats are of oak, and there are little pictures of saints upon the walls. A spirited fresco, the work of some artist-priest, some California Fra Bartolomeo, occupies part of one side the building. The church joins the cemetery. You enter a little wicket gate which leads to the field of the dead. It is a quiet, peaceful place. I know not where there is a pleasanter rest for weary flesh and aching hearts. It fronts the south, and the hills, covered in winter and spring with velvety verdure, close round it, and, as it were, shelter it. Roses creep around the tombs and run up the walls of the church. A low wall fences it in from the adjoining meadows. The Mission is the terminus of the street cars. Through low-lying sand-hills, following the car-track, you arrive at San Francisco. On arriving at Market street, a somewhat stately building faces you—a church and college dedicated to St. Ignatius, the founder of the Order of the Jesuits. This feared and detested Order, then, again asserts itself. Expelled from California, and replaced by the Franciscans, it rears its head again, and shows its indomitable front. Still we must confess that for us the interest attaches to the antique church, the simple shrine, the homely Mission. The new buildings are substantial and convenient. They strike the eye but do not touch the heart. We feel instinctively that the monastery and the church belong to the past; that the religious sentiment must have its supreme place in the grand coronal arch, but must not crush out, but rather guard and protect the other attributes of man's sacred and complex nature; for there is not one of these that can be spared or ignored without visiting its neglect or extinction with the severest and most tremendous penalties.

The Mission of Santa Barbara is still a picturesque and attractive object in the landscape, whether from the sea or from the shore. The church is of stone, one hundred and sixty feet long by sixty wide; the walls are eight feet in thickness; the height of the nave is forty feet. It was flanked with two towers, with rich-toned bells brought from Spain. The altar is adorned with the images of Saints, and before the altar is a trap door, leading to vaults where are deposited the remains of the Mission Fathers who died at the station. The Fathers' house adjoined the church, and looked toward the sea. Rows of Indian huts in adobe were at a little distance from the house. A pleasant garden was laid out near the church, in which flourished the fruits of the tropics with those of the temperate zone. The orange grew beside the apple; the pear mingled its white blossoms with the almond. But the expense and taste with which the water was brought into the Mission is what most attracted the eye and showed the love of beauty which, in the wilderness, still clung to the men who had passed their youth and manhood in courts, camps or cities. I use the past tense in speaking of this, as it is very possible that, in the rapid march of improvements in the now flourishing town of Santa

Barbara, many of these traces may be obliterated. Water was brought from beyond the church, around the brow of a gently rising hill, to a square reservoir of beautiful masonry. Near this were the ruins of a grist mill, and not far from the mill a small stone edifice, surmounted with a cross, which appears to have been used as a bath. Outside the door of the bath was a lion's head, from which poured a beautiful jet of water. In front of the church was a fountain, with a series of circular basins of simple yet elegant shape, from the top of which the water burst and fell from one to the other, till it reached a larger basin below. From this it was led off a short distance to the statue of a grizzly bear, from whose mouth it was ejected into a reservoir of solid masonry, six feet wide and seventy long. Around these fountains were solid, cemented stone pavements and ducts to convey off the the surplus water. In a climate where fertility as well as comfort depends upon irrigation, nothing could be more judicious or in better taste.

Such were some of the relics of early California. To me they possess a peculiar charm. The work done in them was done in the face of many dangers, and oftentimes in suffering and privation. The large ranch houses, of a date coeval with the latter period of the history of the Missions, have also their own peculiar and picturesque interest. Life was carried on there in a grand, old, patriarchal fashion. There was room for the development of strong and powerful natures, who made themselves known far and wide, like the brave and eccentric Col. Williams of the Rancho del Chino, whose generosity almost kept alive, at one time, the starving Mormon emigration of San Bernardino. Mr. Rubidoux's ranch is another picturesque dwelling among the hills, where, at one time, riding alone and caught in a severe storm, I was hospitably received. Mr. Rubidoux was a French gentleman, a cotemporary of Col. Williams, with one of those fine aristocratic countenances that seem to belong to the ancient regime. He was unable to leave his room from an accident, which illustrates the primitive mode of living of even the wealthy rancheros. He had not slept in a bed for many years; but one night, from some unforeseen circumstance, he was induced to occupy one. Hearing some unusual noise, he turned out very suddenly, and, not being prepared for so unusual a descent, lamed himself for life. The calm which the contemplation of these peaceful communities, faulty as they might be in many respects, has shed into my soul is very delightful. "Peace I leave with you, my peace I give unto you," is breathed into our souls at times with accents sweet as a gale from heaven. The conflict of interests in present conditioned society is unfavorable to the development of the supreme satisfaction of life, and everywhere antagonisms are becoming more bitter and more pronounced. The fight between starvation on the one hand, and the plethora of riches on the other; between the voluptuous satiety of the rich and the terrible lone starvation of multitudes who are going mourning through life, orphaned in the midst of plenty; the desperate fatality which makes the rich grow richer and the poor poorer every day; and the crowding of all these volcanic elements into our large cities, where, at any moment, a spark may light on the powder magazine of all these pent-up feelings and cause an explosion—all this makes the social atmosphere heavy, even for those who are out of the vortex of present suffering. What must it be, then, for those who see no hope before them—whose outlook in life is as blank as a prison court-yard. For this reason, there is a very wide and growing interest felt on the subject of community life, and these interesting relics may suggest some thoughts on that subject.

THE CONQUEST OF CALIFORNIA.

We will now go back some three hundred years and see by what steps the conquest of California was effected, the kind of people that were then living there, and what part the Missions played therein. In the year of our Lord 1526, the country now called California was as much unknown as the interior of Africa is to us at present. The restless and all-inquiring spirit was just beginning to awaken in man, which seeks to know and explore every nook and corner of his grand inheritance, the globe, with all its diverse climates and conditions. At that time the Viceregal Court of Spain and New Mexico was the seat of great power and splendor. The daring Spanish conqueror, Cortez, was then in the zenith of his power, married to a noble Spanish lady, and having at his control the vast wealth of the conquered countries. Desiring to discover and subject still more territory, he fitted out two ships at Acapulco, commanded by Don Juan Ximenes, which sailed to La Paz; but on landing, himself and twenty others were killed. Cortez, hearing of this, undertook an expedition, but returned without success. No less than seven expeditions sailed from New Spain for California, all of which were failures. These various expeditions included the space from 1526 to 1683, which was the date of Admiral Ontondo's expedition, with whom came Father Rino to La Paz. But even this last expedition was a failure, for he gave an account to the Viceroy of New Mexico that, besides wasting three whole years, there had been expended 225,000 crowns of the royal revenue. It was decided that the conquest of California was impracticable by these means, and that the reduction should be offered to the Society of Jesuits, with the offer of the necessary sums. There does seem something strange in this, when you reflect upon what Spain was at that time—flushed with success, mad for conquest, in the most haughty and proud period of the whole Spanish monarchy—in the lifetime of such men as Cortez and Pizzaro, the plumed darlings of success and conquest, before whom the civilized empire of Mexico, its traditions and government had melted away as a dream of the night.

And these men and their peers to be foiled before the isolated, unknown and northerly California, and call its conquest impracticable, is a singular fact in history and in the programme which higher powers arrange for nations and individuals, must have had some wise and determinate purpose. The General of the Jesuits decided that, though they were willing to supply missionaries, that they did not wish to take upon themselves the temporal concerns of the conquest; and, in short, looked upon it much as did the temporal powers, as an impracticable and not feasible undertaking.

The Mission settlements of the Jesuits in California were not so much the work of the Order as of the invincible energy of three men, directed hither by some powerful spiritual impression, who, in the midst of all discouragements and difficulties, never lost heart, ready and willing at any time to die at their post, and of rare practical ability. These men were Father Rino, Father Juan Ugarte, and Father Salva Tierra. Father Rino had been Professor of Mathematics at Ingolstadt, where his liberality of feeling and sweetness of disposition won great respect. He had considerable scientific training, and was quite a practical man. It was he who first ascertained that Lower California was a peninsula, and not an island. Father Salva Tierra was a Jesuit Missionary in Pimeria, Sonora. Him Father Rino interested in the California work. His perseverance and energy in this undertaking were remarkable. Several times he applied to the Society for a license to undertake the work, and was refused, the General looking upon it as impracticable. At last he got a license, and, in 1697, came to Mexico to raise collections for beginning the work. There he met Father Ugarte, who was then Professor of Philosophy in the College there. Many an interview did these two men have in that grand old city of Mexico, till Salva Tierra, fresh from his wild pastorate of Sonora, influenced the mind of Urgate with the desire to participate with him in the toils and dangers of his unknown but glorious Mission, and relinquish the calm ease of his student's life and the enjoyment of the revenues of his chair of philosophy in the richest city of the New World for the dangers, hardships, labors and privations which were to constitute the basis of the life laid out before him.

Father Tierra then left Mexico and went to Sinaloa, appointing Ugarte as his agent in Mexico. He set sail from Mexico with an escort of ten soldiers, commanded by Don Juan Tortoleros. On the third day they made California, and landed not far from the site of the present town of Loreta, where the coast forms itself into a half-moon, five leagues from point to point. A convenient spot near a watering place, about a league and a half from the shore, was chosen as an encampment, and the provisions and animals were landed, together with the baggage ; the Father, though the head of the expedition, bearing the first load on his shoulders. The barracks for the little garrison were then built, and a line of circumvallation was thrown up. In the centre a tent was pitched for a temporary chapel, and before the tent was erected a crucifix, with a garland of the beautiful and brilliant flowers of the country. Everything being disposed of in the best way possible, the image of our Lady of Loreto, as patroness of the *conquest*, was brought from the ship and placed with proper solemnity in the chapel. Such was the first successful attempt at the conquest of California; the image of a woman, the simple faith of a man, a man of works as well as of prayer and faith! May we not be proud of such a conquest and such a history? No battle drum sounded the alarm, no flag was lowered, no blood was spilt; but from a quiet ship, on a serene day, under these glorious heavens, came a chief with no sword but that of the Spirit and the image of a lovely woman engarlanded with flowers. What other nation has had such a conquest and such a history ?

Possession was then taken of the country in the name of the king, after the manner of European voyagers. They were dependent on New Spain for subsistence, as no supplies were then procurable in the country. Provisions ran so short that there were only three small sacks of maize and three of meal left, and these were full of maggots, but before they quite got to starvation point, the "San Joseph," with supplies from Father Ugarte, hove in sight. Father Tierra says, in his journal: "I write this narrative, uncertain whether I shall live to make an end of it, for our necessity from want of supplies is very great." Encouraged and strengthened by the timely aid, they erected works of defence and buildings within the camp, which was enlarged and fortified with a palisade and the strong branches of trees. A chapel for placing our Lady in was built of stone and clay, besides three little dwellings, one for the Fathers, another for the Captain, and the third for a magazine. Hardly were these preparations completed, when an attack was made on the Missions by the natives, incited by the Hecherosos or Sorcerers, in which the latter were defeated. It was not until later that the enterprise and energy of Father Ugarte made the Missions independent of the constant danger of extinction by famine. Father Tierra petitioned the Government that the garrison should be paid on the burgs' account, as others on the frontiers were; saying, however, that happen what would, he and Father Piccolo should remain, even though left alone with the savages. Still, as they had indulged in the hope of the submission of the country to the dominion of Spain, he requested that they would bestow on California a small vessel. The Viceroy treated this very coldly, and offered one thousand crowns for the use of the Missions; but Ugarte declined receiving it. He said that 30,000 crowns per annum had been offered to the Order, and much had been accomplished by them already without aid from Government. About this time tidings of the California enterprise reached the Court of Spain, and some interest was excited; large sums were promised but were never paid. Reports were spread that the Fathers had found great treasures in California. This was not enough; troubles almost always come together. Mendoza, the Captain of the garrison, seeing no chance of making a fortune, and being weary of the restraints the Fathers imposed upon him, with regard to employing Indians in the pearl fishery, wrote to Spain in this manner: "I see no other remedy for putting a stop to these "romantic and rash schemes, than to give an account to the "General of the Order, desiring him that he would order "home these two religious fanatics, and secure them in a "place where they may receive the punishment they de- "serve;" and he adds, "for my part, imprison me and chain "me in a castle, as a warning to those that come after me, "that they may not be carried away by such delusions." These reports, which were widely circulated, cooled the zeal of a great many contributors, and placed the Fathers in a worse position than ever. They only now waited to dismiss their garrison, and remain alone among Indians often hostile, until they heard news from Mexico. In the meantime, having given up all hopes of further assistance, but still undismayed and hopeful, Ugarte resolved to take his share in the labors and dangers of his brethren, and having collected what he could, left Mexico on the 3d of December, 1700, and commenced the life of pioneer, missionary and explorer, which was to be his to the end.

MISSIONARY WORK.

Ugarte went by way of Guadalajara, and gave orders to send the long boat with provisions to Loreto. There he found the Fathers not only bearing the weight of neglect and disappointment, but also on very short allowance of provisions, no supplies having been received since October. However, in a few days, the boat with provisions from Sinaloa arrived. Tierra was then absent, having gone to Sonora to collect assistance. There he met Rino, and they sent on from Guaymas beasts for breeding and provisions. Rino, who was by nature a geographer and explorer, discussed with Salva Tierra schemes for subjecting these vast and unknown regions to the king of Spain; and they decided that while one should carry his spiritual conquests along Upper California, the other should penetrate and subjugate the interior of the country.

These men must have had heroic souls. Poor, unsupported, characterized as insane fools deserving restraint by the Captain of their own garrison, they agitate these projects as calmly and quietly as if within the shadow of the college walls at Ingolstadt or Mexico.

Rino informed his friend of the long and perilous journey in which he had discovered that Lower California was not an island but a peninsula; how he came to the junction of the great river Colorado with the Gila, and came within sight of the great Southern Sea, as they called the Pacific Ocean. Tierra desired him to undertake a second journey, to cross from Sonora to the Colorado, and then to proceed along the coast of Lower California on the shores of the gulf, to the Mission of Loreto. When they arrived at San Marcalo, Rino remarked it as the only place on the coast proper for settling a mission, the soil being fit for tillage and pasture, and abounding in water. They continued their journey until they had a clear view of the cordillera of California. Provisions now grew short, so they decided to return, Father Rino to San Marcalo, to establish a Mission there, and Salva Tierra back to Sonora to collect for his Mission, and from thence to sail to Loreto.

Ugarte and Salva Tierra met at Loreto, in the spring of the year 1701. Ugarte had, at first, no license to remain, but obtained one through his colleague, and the friends so united in their work, faith and zeal, had the privilege of remaining together for awhile, as it was necessary for Ugarte to learn the language.

Mendoza, the choleric Captain, became more and more troublesome; he still hankered after the pearl fishery, for which the gulf of California is celebrated, but the Fathers would not allow the Indians to be oppressed, and after a series of appeals to the authorities, and recriminations with the Fathers, Mendoza resigned his post.

At the end of the year, Ugarte having become somewhat familiar with the language, established a Mission in the Vigge mountains, called St. Xavier. He set out with a few soldiers, but the soldiers gave him so much trouble, that he preferred to remain alone among the Indians, committing himself to Providence. He spent the whole day alone. At night an Indian boy came to the door of his humble dwelling. He received him kindly, entertained him and sent a message by him to the tribe, desiring that they should come and see him, as the soldiers were all gone.

The ex-Professor of Philosophy had work enough before him in his new home; not only to teach religious truth as he understood it, but to teach them to live as a self-supporting community, to discipline these fierce, untamed, nomadic people into the strictest form of obedience. This is a very interesting part of the social problem the Fathers attempted to solve. They builded wiser than they knew, and though the contact of advanced races with those less progressed inevitably discourages and oppresses the latter, still, these peaceful conquerors sacrificed no lives, made holocaust of no whole tribes, as did the military conquerors of Mexico and Peru. They sought to gather together and bind, not to tear apart and destroy, and their memory has a soothing charm, a magnetic influence that is felt in approaching the places where they lived and worked; for the spirit of no thought, no deed, no effort, ever transacted on this earth is lost, but remains forever, and is as perceptible in its effluence as is the mush which was used in building certain chambers in the Pyramids. Ugarte had to alienate these Indians from their career and change their modes of life. He taught them to work, as well by example as by precept, was himself ever first and foremost; farmer, bricklayer, carpenter, as well as priest. He seemed to be everywhere present, and had need of all his mildness and gentleness, as well as energy, to sustain him in his labors with an unthrifty and lazy people. Then was first developed by civilized man the fertility of this wondrous California soil. Ugarte made choice of good land, which produced abundantly. He planted vines, raised plentiful harvests of wheat, maize, and other grains, bred horses and sheep, and not only supplied the wants of his own people, but was able to assist the mother Mission at Loreto. When New Spain was suffering from scarcity occasioned by want of rain, he says, " We eat here good bread of our own harvests." Then he bethought himself of clothing. His sheep being sufficiently increased, he himself made the distaff, spinning-wheel and looms, and sent to Tepique for a master weaver, to teach the Indians and superintend the manufacture.

In the meantime, Salva Tierra had been summoned to Mexico on business. The Government felt that the missionaries were a power, and wished to have some understanding with them for its own purposes, but how is it possible for politicians and tricksters to understand the aims and hopes of men who have risen far above their times, and above themselves, who have borne the burden and heat of the day, who have communed with the stars in their lonely night watches, who have been accustomed to rely on God and on themselves, to whom all forms of danger and hardship are familiar, whose daily bread is self-denial, and who are so accustomed to it that, by degrees, that bitter bread that seasons all their meat is become palatable to them.

Salva Tierra was almost worn out with labor, his health was failing, and he was afflicted with the stone, which made travelling very painful to him. But he obeyed the summons. He landed in an almost dying state, and was carried to Guadalajara on a litter by the Indians. There he lay sick for two months, unable to proceed farther, but attended by some of his beloved California converts. Visions rose before him in his parting hour of the land of his adoption, such as he had forseen it would be, the scene of peace and cheerful industry. The day was dawning; the day star had arisen in his soul; and on a beautiful summer day, in presence of his children and his colleagues, he was received into his heavenly home.

That year a terrible hurricane swept over California. The fathers thought that the reason why the hills were so bare, was that these hurricanes swept the vegetation and soil clear off them. Ugarte's church and house were blown down, and he only saved his life by remaining twenty-four hours under a rock, exposed to all the severity of the weather.

Two more Missions were founded. The first ship ever built in California was built and named by Ugarte, "The Triumph of the Cross." What resolution! What patience! what knowledge of the savage heart it must have taken to make of these Indians, whom no one else has ever known how to utilize, farmers, weavers, and even shipbuilders. Surely that was a great social problem to solve, to unite elements so diverse in a common aim. There were many mistakes made, doubtless; we are all making them; but the attempt was made, and to a certain extent, successfully. In six years, at La Paz, there was a congregation of 800 Indians; many savages were persuaded to live in friendship, and considerable land was cultivated. In 1721, Ugarte surveyed the Gulf of California in his ship "Triumph of the Cross." He verified Rinos' discoveries, and ascertained the position of the best ports and harbors; but he suffered severely from inflammatory rheumatism, contracted from exposure and fatigue in bad weather. He also made many charts and maps. Father Lugardo consecrated the whole of his private fortune to found the Mission of San Ignacio, and planted vines, olive trees, figs, and sugar-cane.

THE ABORIGINAL INHABITANTS.

And who were the people who held their own against the conquerors of Mexico? The scattered remnants exist at present; the gentle, silent Indians of the Mission, generally found with a great admixture of Spanish blood; the scattered dwellers of the rancherias; and sometimes scattered families building their little brush houses, as we see them in Los Angeles, on the land where they are employed, but which they no longer own. Melancholy and scattered waifs of the great human family, calmly fronting an inevitable destiny with the patience and resignation peculiar to the dark races, and those races whose doom is written, who belong not to the future, but to the past. They had their day too; and it may be interesting to know what they were in their primitive condition, when they were the natural lords of all their surroundings, and could develop their peculiar life and idiosyncracies as freely as the deer of their mountains, or the pine trees which they so love. Many has been the piteous appeal to the white man to spare the pine, the Indian's bread and food, whose shadow is so sweet to him, and whose rich nuts nourish him. With the stern footsteps of destiny, as the white man advances, the Indian recedes and perishes. Individually, what does the white man gain? A life of fevered ambition for the attainment of an uncertain end, the cares which attach to the battle of life in the hand to hand fight which we call civilization. Is the Indian, sitting in the sun, with his natural wants measurably supplied, surrounded by his dusky family, less happy than his white brother, though he fronts the setting instead of the rising sun, whose long level rays are leading him on to the starlighted land of shadow, which we must all pass through, to hail the rising of a better and more enduring day?

During the time when the Indians reigned undisturbed in California, they had no chief whom they acknowledged, or to whom they paid tribute. Every family governed itself.

In the rancherias, or even in the nations, there were one, two, or more who gave orders for the harvest, or for military expeditions, conducted them to the forests or sea coasts in search of food, and headed them in wars, ravages and depredations. These children of nature instinctively recognized the right of the ablest to govern, and as there was not much political intriguing among them, which is the curse and cancer of our degenerate day, that was probably one reason why they were so successful in repulsing the expeditions sent out against them. In all other particulars than this concession of the right of the ablest to govern, every one was master of his own liberty. They had neither temples nor altars, nor any fixed vows, prayers or expiations. They had an idea of the unity of God as a pure spirit, and believed that there was a vast universe of spiritual beings. They said that there were many more inhabitants in heaven than on earth, by heaven meaning the great universe of spiritual beings ; and they had an idea that there had formerly existed great wars there. They had priests who were called Hecherosos or Socerers, who had great influence among them. These men claimed to hold intercourse with spirits, after the fashion of the classic oracles, and the modern mediums. These men were also physicians. They claimed that they were not only inspired by spirits, but were identified with the very spirits themselves, who used their organs for a mouthpiece. Sometimes they said that they had been to heaven, and communed with deities. It was very difficult to detach the natives from the influence of these spiritual guides. The boys belonging to the Missions would often disappear, and join in their mystic rites, at the time of the gathering of the Pityhayas nuts ; and the greatest danger to the Missions arose from their influence.

Such were the people who listened to the murmur of the pines in the Sierras, ere the axe of the woodman had felled one goodly tree—who roamed in the fertile plains of the

Sacramento, and celebrated their mystic rites in the deep recesses of the Yosemite.

But the hour struck in that wonderful clock of destiny, which measures our lives and our days, and the greater days of the rise and fall of nations, in the eternal procession of all things ; and the men were about to appear, who, in some strange, inexplicable manner, were to subdue and utilize them, subdue them not by the sword of the flesh, but by that of the spirit, and utilize them as they have never been utilized before or since. There was a ferocity, too, about these formidable savages, only equalled by the almost hyena-like savageness of the Fiji Islanders.

During the period of disturbance which occurred soon after the death of Father Ugarte, a ship put in for for fresh provisions. The scurvy was on board very badly. The pinnace went on shore with a whole boat's crew. They had no sooner landed than they were killed and torn to pieces by a host of furious savages ; and the pinnace was quickly demolished for the sake of the nails and iron. And yet these men could be tamed and set to work by a few unarmed priests ! What could the spell be ? It was this :—That aside from their creed, aside from their churchianity, these men were possessed of a living faith, and the submission to the Divine Will, not to their own will, that characterizes sincerely religious minds; and this faith is, after all, the only power in the human soul that has ever been able to move political or social mountains. The immense power of the human will, energized by the Divine, has hitherto been quite underestimated as a factor in the great movement of current events. The power that one man or one woman can exercise in this way is truly remarkable ; and in proportion to their numbers, and the closeness of their union on any one given point, grows the power. The California Indians, as we have shown from the most authentic records into which we have searched carefully, were a nation of spiritualists, governed by their mediums, as the Hecherosos really were. Thence the secret of their power to resist even the conqueror of Mexico; thence the foiling of sucessive armaments. As in ancient times, at the advent of Christ, that central man through whose human form so much of the Divine God Light radiated, the Oracles became dumb.

> "Apollo from his shrine could no more divine,
> With hollow shriek the steep of Delphos leaving,
> No nightly trance or breathed spell inspired
> The pale-eyed priest in the prophetic cell."

So these three earnest men that I have named, and their compeers, coming with their hearts full of a higher aspiration, were able to subdue the inferior spiritual forces, which the brute force of the Spanish government was unable to tame, even under such men as Cortez.

I am no advocate of Romanism, but we have to free ourselves of all prejudice, even against Romanism. The divine groupings of the future will draw to us out of the Roman Church, out of the Protestant Church, out of the infidel and Spiritualist meetings, out of the kingdoms of the East and India, out of the farthest isles of the sea, those who may fitly tread the aisles of the Catholic Universal Church, which has no head, but our common Father, no limit, but universal humanity.

REVOLT OF THE TRIBES.

In 1730 Father Ugarte died, after thirty years labor in California. He entered into rest within the walls of the mother Mission at Loreto. A noble man was Juan Maria Ugarte. The inspiration of his memory will not depart as long as the velvet hills of California sleep in the sun, or the great stream of the Colorado flows into the gulf whose boundaries he surveyed. He was the most energetic and practical of the triumvirate of the three earliest pioneers of California. The loss of his powerful arm and personal influence was severely felt.

A beautiful young girl was growing up in one of the Indian families attached to the church. She attracted the notice of an influential man of another tribe outside its pale, who had already several wives. The practice of polygamy was discouraged by the Fathers, but he succeeded in carrying her off, and was so enraged with the manner in which the Fathers remonstrated with him that he stirred up a general rebellion, which resulted in the destruction of several Missions, and the death of two Fathers. An attack was made upon San Ignacio, which was repulsed by the soldiers and converted Indians, and thirty prisoners were marched into Loreto. The Mission Indians, who had a hankering after their native customs, hoped to have had the pleasure of killing them, and were disappointed when the sentence was commuted into the public whipping of the chief offender. These Indians remained for some time at the Mission, and were kindly treated.

Perhaps it may not be uninteresting here to get a glimpse of the daily life at the Mission. Homely and simple details, made picturesque by their grouping and location. The Indians assembled at the sound of the bell in the church to hear mass. Then breakfast of a preparation of boiled corn, called *atole.* Then all went to work till noon. At noon there was a dinner of boiled corn, meat and vegetables. At night, devotion and more *atole.* It was a sort of devotional industrial school, in which the Fathers were head laborers, head cooks, physicians and priests; and each Father was attended by a soldier, who was vicegerent in the priest's absence. Small faults were punished with whipping, for greater ones the penalty was the stocks. They were furnished with coarse clothes and blankets. Everywhere the children were the first care. They were taught reading, writing, singing, and Spanish. The children from six to ten, the sick and the aged were provided for, and a certain allowance was given to outsiders, provided they came for instruction. It was found that the best of these people would, with characteristic carelessness, waste all they gathered. So storehouses were built, in which the crops were placed and distributed as necessity required, or used in helping out some other Mission. As we might imagine, many would prefer the free and vagrant life, drifting up and down the plains and mountains; but, after all, there was a degree of solid comfort at the Mission, where, thanks to the wise forethought of the Fathers, the meals were regular, the clothing coarse, though comfortable, and a shelter from the chilly nights was provided, to say nothing of the æsthetic charm of the music, in which the sweet, melancholy modulations of the trained Indian voice mingled in the music of the mass, and the charm of color, always so attractive to the savage eye, in the vestments and ceremonies of the church.

You might have seen, a hundred and fifty years ago, in some solitary valley, or creeping through a trail in the foothills, a singular cavalcade. Two priests riding foremost, grave, weather-beaten men; then, an escort of a few soldiers, in the Spanish costume of the period, and a small train of mules, packed with the necessaries of a journey and the furniture of a church. So they wandered through the mountains and surveyed the valleys until a suitable place was found. When this was done, the bells were hung on trees, and the call was made, "Hear ye, gentiles, come to the Holy Church." The mules were unpacked, the church furniture arranged in a temporary building, and the Padres, with their grave Spanish simplicity, would set earnestly to work to hunt up parishioners. In this case it was not the church who called the clergyman, but the clergy who called together the church. And it may here be worthy of remark that the first of those grants of land called Spanish grants, made in California, was to a Spanish soldier who had married a native convert.

It took men of some force, physical as well as mental, to control these kind of parishioners. On one occasion, after the foundation of a Mission, and when things were just beginning to get into working order, some outside Indians came to mass, who permitted themselves some jesting and smothered laughter at these novel ceremonies. One man, who seemed to be the wit of the party, stood within arms length of the Father who was performing the service; and, after enduring the interruption quietly for some time, the Padre at last stretched forth his hand, seized the offender, swayed him gently backward and forward two or three times, and set him down a sadder and a wiser man.

As the signs of revolt began to threaten, word was sent to Mexico of their precarious condition, but it was treated with the usual indifference. The Viceroy communicated with Spain on the subject, but they all might have been exterminated ere succor could arrive, had it not been for the Indians themselves. Those not concerned in the revolt appeared to be seized with grief and regret, like children left without a father, and the head men of each friendly tribe, taking from the different Missions the crucifixes and ornaments which had been left behind, came in procession to Loreto and stood outside the gates of the garrison, as if making a testimony of their innocence of any unfriendly intentions. "You have "baptized us," they said, "you have taught us the name "and worship of the true God; you have gathered us from "the dry mountains to the watered vales; you have made us "believe that good acts bring happiness; you have made us "your children. Will you now forsake us? Is it just that a "whole nation should suffer for the sins of a few?" The Fathers were touched at this friendly demonstration, but they thought it wise to defer a few days to test their sincerity. The conspirators from the revolted tribes were given up; some were flogged, and others banished from the Missions. One tribe, the Yaquis, assembled five hundred men for the relief of the Fathers.

We see, then, that upon our California the curse of no bloodshed and massacre of native races rests, as it does upon the dark record of Mexico and Peru. And to what are we indebted for this? Principally to the faithfulness and spiritual power of three men and their compeers, who devoted unreservedly the whole of their life and energies to the Indians of California—abilities and energies that might have made their mark anywhere in the civilized world, and which we, who have inherited their labors and come into possession of a land freed from the terrible curse which the oppression and destruction of the innocent ever entails, ought never to forget. They were meek, gentle, scholarly men, who could be very firm and very brave; geographers, explorers, tillers of the soil, brick-layers, handicraftmen, tailors, weavers, vinedressers and priests. Well did they understand and practice the old monastic proverb, *Laborare est orare*—"To labor is to pray."

THE EXPULSION OF THE JESUITS.

We must not forget that these men were Jesuits. Nor can we forget all that the word Jesuitry implies—of dark intrigue, of unscrupulous greed for the advancement of the Order, or the tremendous power wielded by its compact and perfect discipline; but let us not, also, forget that use and good may reside even in the most apparently mean and false thing. Let us look to the spirit and not to the letter, and try, each individual by his or her works. The Jesuits have been expelled in turn from almost every country in Europe. And why? Because they were so strong, so united in the power of unconditional personal surrender, that they were feared by the powers that be. There is hardly any limit to the power of an idea which becomes a religious conviction, embodied in ever so small a company. Its power of multiplication is infinite, its resources almost boundless. But the position taken must be affirmative, not negative; hence the weakness of all simply Protestant communities, though that element has been needed, even down to the verge of the extremest radicalism. Yet there is no power there, and it is felt if not confessed. Spiritualism also sadly fails on that side, and is weak for want of the grand centralization of definite, positive power, focalized on a great religious idea suited to the wants of this day and generation, and more particularly adapted to the needs of this great American people, the advance guard of the whole world. We have had imported religion as well as imported fashions. It is for this people yet to realize one of the highest religious and divine manifestations that has yet dawned on the world. It might be called, as an inspired one now passed away called it, "The Unity Dispensation," a comforter to head and heart in the fierce struggles that are at hand, and the only ark that can safely ride on the waters that are already white with angry surges. Then will come organization; then will come order; then will come power—a power only to be attained by putting ourselves on one side, so that God may shine through us, and combining together on that principle. I will quote from some thoughts of Mr. Judd Pardee, published in May, 1862, some prophetic words on this subject: "The end of this war is "not peace. A bitterer struggle ensues then. The battle-"fields are transferred; for the God in man is roused to arms "by bugle blasts of inspiration against the devil in conven-"tionality. A three-fold conventionality, the parents of a "plenteous brood, oppresses, depresses, and continually im-"presses us. A deliverance from this saddening psychology "is absolutely dependent on a stronger force. The spirit of "conservatism, the spirit of militaryism, and the spirit of the "spiritual new—these three will be wrestlers. I see that "the second spirit will be the greatest for a season, and a "military dictatorship takes the rule when Abraham Lin-"coln's time is out, if not before. If the long man is not "ousted by assassination or a natural death ere his Presiden-

"tial close, at least afterwards comes in the iron man. A "known chieftain, to become yet more known, will take the "reins by big acclaim. Why will it be? For the reason "that this constitutional government is too inefficient in the "tightening adversity; because too flaccid in the muscles of "its own right arm; for exigency's sake altogether too centreless; and, next, because a military rule must be the "bridge between republicanism and theocracy."

The pulse of to-day beats at a fever heat, and men seem to be walking in a dream. There is little true, natural life. The system is either lashed up into the excitements of business or pleasure or braced up with stimulants to ward off the dreaded reaction. We pass through life in a vain show, with only passing glimpses of our own possibilities. Will the kind reader pardon this digression from the calm quiet of the California of the Padres to our more stormy period?

The Jesuits had now become a power; they had achieved that which the government failed to achieve, and thence a dull jealousy, a feeling of suspicion, a petty spite on many quarters. Still the circumstance of the loss of the boat's crew made it expedient to send out more succor to the Missions. The Order also sent out some new laborers. In 1745 there were sixteen Mission stations and 25,000 converts. Once established, success was sure.

The good taste and judgment of the church in selecting building sites is proverbial. Peace and plenty crown their efforts. Flocks and herds, corn, wine and oil were sustained and produced by the genial and fertile soil. The word, home, so dear to the heart must have been realized by these priests in the land of their adoption. Happy those who were laid at rest in the sunny soil they loved so well, ere the gathering tempest broke and they were expelled, banished, driven from the familiar gardens, the familiar faces, the familiar haunts so dear to the studious and the solitary. Banishment, expulsion, is a bitter word. When we have made a place of repose, after great effort and privation, it is hard at once to abandon it.

The Jesuits labored in the footsteps of Ugarte till 1776, unsuspicious, undisturbed, increasing in wealth and influence. Almost every year brought ships from the Phillipine Islands, with crews sick of the scurvy, for them to feed and succor. Commodore Anson, among others, paid them a visit, but spoke very discouragingly of the country, saying that there was no other commodity but a little wine there, nor any hopes of there ever being any. But they were abundantly supplied with the necessaries, and even some of the luxuries of life.

The government, in the meantime, knowing that the Order were more masters in California than they were, sent ships with secret and sealed orders; and so well did they accomplish their design that in one night every Jesuit was seized and made ready to leave the province. These men, so valiant for their work, were not valiant for themselves. They went away as quietly as they came, leaving their works behind them. This was in 1766.

THE ADVENT OF THE FRANCISCANS.

Junipero Serra

In 1767 came the Franciscans, with Father Jumpero Lerra, a scholar, an earnest and sincere man, who was actuated by the spirit, and trod in the footsteps of Ugarte and Salva Tierra. Most of the Missions in Upper California were founded by the Franciscans, and the founding of these new Missions was necessarily attended with more or less privation. In 1770 the Mission of San Diego was founded—old San Diego—and provisions ran so short, that Lerra had recourse to prayer; but, most opportunely, the "San Antonio" arrived, and he sailed in her for Monterey. In a letter, which is still preserved, he says, "On the 3d of June, 1771, being "Pentecost, we assembled under the shade of a large oak "tree. The Veni Creator was sung, and mass said, after

" which, we all dined together in a shady place by the " beach." After many inquiries for absent friends, he says, " I have not had a letter from any Christian country for more " than a year." In 1772, the Mission of San Gabriel, near Los Angeles, was founded. Father Lerra writes from thence: " The milk of the cows, and the vegetables of the garden, are " our two great sources of subsistence, but even these begin " to get scarce. But it is not for this I feel mortified, but " because we have not been able to go on with more Missions." After asking that more missionaries may be sent, he adds, as if in a moment of discouragement: " but let those " who come here come well provided with patience and " charity, and let them pass on in good humor, and they may " become rich—I mean in troubles."

In 1772, San Luis Obispo was founded. In the same year San Diego was attacked, and one of the Fathers killed. In 1776, that year so remarkable as the era of republican liberty in this country, while Washington, Jefferson and the rest of their illustrious compeers were laying wide and deep the foundations of our republican institutions in the East, Jumpero Lerra founded the Mission of San Francisco, and surveyed the harbor. At the time of the secularization in 1835, forty leagues of land were attached to the mission of San Francisco, there was 25,000 dollars of specie in the treasury, and 35,000 dollars worth of merchandize; its hills were covered with cattle, its barns well filled. Jumpero Lerra died at the Mission of San Francisco at the age of 71. He was a man of various and extensive learning; had known the life of Courts and the amenities of polished society, but he kept before him the same undeviating purpose and unswerving aim which had marked his predecessors. Shortly after the founding of the Mission of San Francisco, the Mission of Santa Clara, Santa Barbara and five others were founded.

THE DEPARTURE OF THE FRANCISCANS.

The seed sown was now beginning to produce its result in a harvest of temporal prosperity. What was the capital with which these enterprises were started? In the first place, voluntary contributions were invested by trustees in Mexico under the name of the California Pious Fund. Four hundred dollars a year was the salary of each priest.

Such was the capital with which these establishments were started, and from which they grew in wealth and prosperity, so as to make them too tempting a prey to a needy and unscrupulous Government to be left untouched. During the time of the prosperity of these great self-supporting communities, they each possessed from 30,000 to 100,000 head of cattle, besides sheep. They exported large quantities of hides, tallow, grain and wine. So much confidence did they inspire, that the word of a Padre was good to the American and English houses with whom they had dealings. They only were capable of throwing all this produce into the market. The Indians had all their wants supplied, and lived in peace and plenty.

After the period of prosperity we have indicated, the time drew nigh when the Franciscans too must quit the soil where their unremitting labors had not been able to secure them either a home or a country. In 1825, Mexico threw off her allegiance to the Spanish crown, and became an independent nation. The Mexican General, Echuadra, arrived in Monterey, Upper California, with full power to receive the submission of California to the Mexican Government. The Franciscans were requested to take the oath of allegiance to the new Government. This they could not do without the consent of the Prefecto, as the head of the Order was styled. The Spanish Prefecto declared himself unwilling to take the oath, until his king had abandoned the sovereignty of California. Upon this, Echuadra had him arrested and banished to Manilla. He also told the Padres that their yearly stipend of 400 dollars was withheld, and that they were subject to his orders. The California Pious Fund, which had been invested in Mexico, formed but a small morsel for the hungry office-seekers and politicians who beset the new Government. The Mexican authorities in California assigned lands to the Indians employed on the Missions, and told the Padres that they would relieve them of the burden of their temporal affairs; that they might better attend to their spiritual functions. The Fathers thus lost their influence on the community, and everything went to decay. The small stipend which supplied their wants had placed them in a position to command respect and to labor for the world. They saw, now that their work here was ended, that their pleasant fields must soon be desolate, their gardens deserted, their hearths solitary. Fearing starvation for the Indians, and seeing how they were likely to be defrauded, they even encouraged them in the yearly branding of the cattle, when the animals were coralled, and each proprietor had his private mark branded on the shoulder of the animal, to let some go wild in the woods as a resource in time of need.

At Santa Monica, 17 or 18 miles from Los Angeles, along the coast, there were, seven or eight years ago, wild cattle in the woods. Father Antonio Pera came to San Luis Rey in 1798. He built a small thatched cottage, and asked for some Indians and soldiers from another Mission. After a residence of 34 years, he left the place stocked with 60,000 head of domesticated animals of all sorts, fields yielding 13,000 bushels of grain per year, a church and a complete set of buildings, and yet, after all these years of labor, he left with only sufficient funds to join his convent in Mexico, and throw himself upon the charity of his Order. In 1827, some of the Padres left in American ships for Boston, and thence to Spain. In 1835, others left for Mexico. Some died in the country, and were buried under the churches of their Missions. This year the power of the priests was transferred to Government officers, called Administradores—one on each Mission. Any one who understands the general style and manner of acting of Government officials, with some rare exceptions, can realize that this was not a beneficial change. Appointed generally by favoritism, subject to be displaced at an uncertain date, the system offers a premium to all the greed and selfishness of our nature. From 1835 to 1848, a period of thirteen years, California was under the rule of Mexican and Spanish Governors. Don Pio Pico, one of the last of these Governors, still resides near Los Angeles. In 1848, the great year of revolutions, California was ceded to the United States, together with Texas and New Mexico, in consideration of fifteen millions in money, the assumption of the Mexican debt to United States citizens, and the right to the navigation of the gulf.

RESUME OF THE WHOLE.

Our survey is completed. Very rapid and very much condensed it has necessarily been. The slow, tranquil years drifted by in the sunny Missions of the Pacific slope, rightly so called, while in the East, on the Atlantic slope, a great empire was being born; and while the Padres were doing their work on the Pacific, Washington, Jefferson, Paine, and their illustrious compeers, were building up with sword and pen, as God's own appointed ministers, the foundations of the mighty American Nation, whose dominion spans the continent, and is only terminated by the Pacific Ocean. The torch of liberty lighted here passed over to Europe, and created the wars of the Revolution and the Empire; thence, the beginning of a series of convulsions that has not yet terminated, but is only gathering strength for another and more tremendous outbreak.

We do not claim for our friends, the Padres, that they were perfect, any more than we ourselves are; we simply say that they were in *earnest*, which is more than some of us are. The ranks of reform are to-day filled with a clamorous crowd who all claim to be leaders, masters, teachers. Individual sovereignty is running as wild as individual despotism did in former times. The true leader and organizer in our ranks, the Christos of the nineteenth century, must be the servant, not the master; the servant of man and the servant of God, for how can he command who has never learned to obey?

We have set before you a lesson in two parts, clearly defined and full of instruction. Part 1st. The Jesuits in California. Part 2d. The Franciscans. The world is a great school, in which millions of souls are being educated, and all there is of any real worth in life is the education our souls get out of its experiences. Two classes were called up on the Pacific Coast, and our friends the Padres were the monitors. The great schoolmaster knew when it was best the lessons should be ended; he knows also what other classes he designs to call up. There is more order in the great world history than some are disposed to admit.

The best and most enduring part of the teachings of the Padres, is what they themselves suspected least. It has left its lessons on every stone of their deserted dwellings, every tree which their hands planted, and consists in the example which they have left to the world of the practical success and self-supporting nature of great industrial organizations, even when commenced and carried on in the face of the greatest disadvantages, and with comparatively small means. The problem of industrial organization and social reform, will be that in which the generations that are to follow us, our children and our children's children, will be most deeply interested. The Padres gave some good and wise hints in this direction; for this will their names live when conquerors and kings are forgotten. The silent influence of the peaceful Spaniards will inaugurate new industrial organizations on soil already consecrated to that purpose; not in vain, to our State, yet in its infancy, but commanding in an almost unexampled manner the elements of success, has the lesson of the great industrial and self-supporting communities, known as the Missions of California, been given. The religious element has been admirably adapted to sustain man in the seasons of darkness through which he has passed the night and twilight of the world's more perfect day. In prosperity, the same religious element is the great regulating element. The spiritual or coronal region is at the summit; like heaven's overarching dome, it presides over intellect, affection, passion. And yet all these must have their place; in denying these, we in so far deny God. Yet our friends, the Padres, were not to blame in the denial they inflicted on the two latter elements. They saw that the God man, that is Humanity, personified by their familiar emblem, the lacerated and suffering Christ of the Crucifix, was still in a state of crucifixion, but they did not fully realize that a complete renewal and consecration of all his attributes must follow upon his entrance into new and higher phases of existence. When, instead of the stereotyped crucifix, we look to the risen, ascended and spiritual Christ, the ideal God man, that is humanity, represented by Him, the regeneration of the world will have begun. The time is not distant. Tempests and storms will usher in a brighter day. Nowhere more strikingly than in our own State, are the workings of the great volcanic forces manifest. Nowhere is earth adorned with a fresher garland of beauty. Mighty cañons are split through huge rocks, revealing their hidden secrets. Metalliferous rocks are permeated with precious metals, marble, coal and health-giving mineral springs. Nature has prepared the place for a laboratory of new ideas, and a new social order. Providence has given it a history to match with its strange and singular beauty, its magnificent opulence, its wonderful fertility. Who were its conquerors? Ask Cortez. No, the proud Spaniard turns away humiliated. In the serene mansions of the just made perfect, shall we invoke the benignant presence of Salva Tierra and Ugarte. They smile with an ineffable smile, those men of gentle and heroic endurance, at whose hearths no woman smiled, as they point to the beautiful form of her whom they call the conqueror of California—the beautiful symbol of divinely regenerated woman, idealized in Mary of Galilee. To-day the emancipation and divine regeneration of Woman, is the great question to which all other issues are comparatively trivial. This must inaugurate new departures both in social and governmental science. I cannot refrain from adding a few thoughts suggested by the above facts, which open a wide and brilliant perspective.

THOUGHTS AND THEORIES.

The first idea suggested is the necessity of a true idea of government as a necessity of well-being. The most god-like minds have either terminated their career by a violent death, as Christ did, or they have led lives of poverty and obscurity in an age that did not recognize their truth, because the power of selfishness, the animal in man, was too strong for the spiritual, and quenched its heaven-sent light. The idea of government has been exclusively masculine, as the idea of God has been. Now, the idea of the entire masculinity of God is, as F. R. McKinley said, "a swell of presumptuous vanity in the mere male mind." The God-head is bi-sexual, whether a principle or a personality, or it could not exist—could not permeate all nature and be represented in all nature by the divine sexual element in all its various combination and modification. "All things, by a law divine," says Shelly, "with one another's being mingle." The idea of God in the Romish Church is essentially bi-sexual. *Mary* represents the feminine side of God; hence another element of power. In the last century an obscure English woman, Ann Lee, for the first time in any Protestant community, proclaimed the idea of a father and mother God. She came to America and founded the now wealthy Order of Shakers, among whom the first spiritual manifestations took place long previous to those at Rochester. The idea of God the Supreme, or whatever man believes in as such, creates and modifies all our ideas of government, so that the recognition of woman in the government of the community by the Shakers, was a natural consequence of their religious belief.

You ask, Whence had the best ideas of government their rise? I answer, From the highest inspirations of men in some critical moment. Such was Magna Charta, such the Declaration of Independence and the Constitution of the United States. But as time rolls on, with the progress of development fresh necessities arise and fresh inspiration is given. The water of a river gets turbid and muddy near a large city where many people and factories are congregated; but let us make a pilgrimage to its source—leave the haunts of men for the home of the beaver; and then up higher, leaving the hemlocks to where the pines point straight to heaven; what do you find? A gentle, lovely rill, fed from the clouds and dews of heaven; and it so happy up there with the birds and the wind and the sweet shade of trees, that it murmurs a low song of sweet content. As in case of war and devastation men flee to the mountains to hide until the scourge is passed over, so in times of extreme necessity, when the birth or death of a nation or civilization is in question, then are men driven to the high places of divine and elevated thought to seek inspirations for the emergency. How can any of us tell how near such a time may be at hand, and how are we prepared for it?

I feel very certain that all governments founded on force, must sooner or later fall into a chaotic condition. Force is the supremely masculine element, and must go to its utmost—almost to the destruction of the human race, if it were possible—ere he will invoke the aid of the feminine element, the other side of God.

The uneasiness of the feminine element is affecting societies—it is affecting governments. A new idea is always a disturbing element, no matter in how beautiful and mild a form it comes. Even the gentle and sweet words of the man of Nazareth were as burning coals and firebrands to existing governments. Justice, love and truth, not force, must be the strength of a true government. And how is it possible for man to be evenly balanced on these divine principles alone? A solitary man or woman may be indeed oftentimes alone; lonely as was Elijah in the desert, and yet so near the father heart or mother heart of God that they can draw down from the skies the very elements they need for their succor. The voice of the Comforter is never absent if we are only in a condition to hear it. "Peace I leave with you; my peace I give unto you; not as the world giveth give I unto you." Great leaders, great organizers, germinal centres of thought, are God's greatest gift to man.

Our friends the Padres proved themselves capable of utilizing very intractable elements in the face of the greatest difficulties, not so much by the masculine power of force as by the feminine power of love and inspiration. For this are their efforts interesting to the student of social science.

The great life of humanity, as a whole, may be compared to a tree, wide and branching and bearing various and goodly fruits, according as the influences of the sky, the sun, the moon, the rains, the dews are favorable to its growth and development, and as the deep striking roots draw nourishment in the rich, moist earth below. Still, all the possibilities of humanity are in the seed, the germ. Not one of rich and beautiful fruits that has blossomed so sweetly and fruited so grandly on the life tree of the nations, but was in essence in the rough kernel, the undeveloped seed, planted here on the earth ages and ages ago. One after another the conspicuous fruits appeared which made the glory of this life-tree of the nations. And these were the few men who have swayed the earth, not only while they lived, but ages after their disappearance from the scene of action. Moses in Egypt, Brahma in India, Confucius in China, Socrates in Greece, Mahomet in Arabia, were conspicuous century flowers in this tree of the ages. Their possibilities were all in the common seed of our humanity. Everything that they have reached or that has yet been reached is not equal to the capacities of humanity in ages yet to come.

A great man, a great hero, a great prophet, is God's representative here on earth. He appears ; he grows ; he becomes a centre to millions of minds ; he shines in the light of God like a steady, fixed star, while the tides of humanity go fluctuating and ebbing, now into light, through the gate of birth, and then into that other eternity whither we all are hastening. These guiding lights in the world's march have been few and far between.

Nearly 1900 years ago the world tree flowered and bore its fairest fruit. No such fruit has it borne before or since. Its perfume has sweetened the world's air. Its gentle aroma has been preserved as a divine benediction, not only in individual lines which it has made brighter and better, but it has permeated governments, and with subtle sweetness given life to new ideas. Where should we have been to-day if Christ had not lived? Certainly, not where we are now. His life was just the opposite of the selfish accumulation of forces by one man for his own benefit. It was the giving up of self to God ; and then a giving of God to the world, the hungry world, the dying world, the world that is dying for just such life. He lived, and loved, and died ; and the heart of the most advanced portion of the world has gone after him ever since—the Christos consolator! the consoling Christ! There is a throbbing hope felt everywhere of some new light, some new hope breaking from the spheres beyond.

In the burning plains of India, the Hindoo is waiting for Vishnu.

"Nine times hath Brahma's wheels of lightning hurled
"His awful presence o'er a prostrate world.
"Nine times hath guilt through all her giant frame,
"Convulsive trembled, as the mighty came;
"But Heaven shall burst her starry gates again;
"He comes; dread Brahma shakes the sunless sky
"With lightning speed, and thunders from on high,
"Heaven's fiery horse beneath his warrior form,
"Paws the light clouds, and flickers in the storm."

The Zuni Indian upon the plains of Mexico every morning turns his face to the East and calls for the return of his lost Montezuma. We are all waiting for the great life-tree of the world to put forth another great century blossom, to bear another wondrous fruit, which shall be to other ages what Christ has been to us—a reappearance of the glory of God in the shape of man. "I am the way, the truth and "the life," said Christ. "No man cometh to the Father but by me." But now we have got to draw nigh also to the infinite and ineffable tenderness of the Divine Mother.

This same indwelling divine power, blossoming out through humanity, may produce fruits more gloriously conspicuous than any that have yet appeared. What will be the shape and hue of the next great flower that the tree of humanity will put forth after so many years' repose? From our present needs, I should say that we require an organizer, a judge, a ruler, a leader, a divine law giver. He will, then, perhaps, at no distant date, appear, declare himself, and be recognized as one of the world's great saviours. After a while he will disappear, and his memory will be embalmed in loving gratitude for hundreds of years, till his work, too, is done, and the growing needs of humanity call for a fresh manifestation. By that time the laws of our nature will have been learned more thoroughly, much of the discipline the world needs in its present childish and ignorant state will have been gone through with, and the world's great heart will pant for some further manifestation. They will wait then as we are waiting now, only in a much more advanced state. Order will have taken the place of disorder, the laws of life will be better understood, and still there will be a waiting even then, a desiring and aspiring for something higher. It will be again answered, and a golden fruit of divinest love will bless and cheer the world. We are not prepared for this manifestation yet. That will be a joyous time. Still, looking into the sunlighted splendors of that happy day, I can see a time when there will come a longing for something more; when the happy earth will wait and watch again, not in sadness and almost in fear, as we are waiting now, but with the sunny hope of the child who is called to the grander rooms of its father's mansion, where more glorious guests are assembled. At last, then, the great life-tree will blossom from its very central stem, filling earth with the fragrance of the heavens, and this last great flower, beyond which I can see no farther, will be called Harmony. A sweet day will then bless the earth, so cool, so calm, so bright, the true bridal of the earth and sky.

Bonnard & Daly, Printers, 536 *Clay street.*

RESOURCES

OF

Santa Clara Valley,

CALIFORNIA:

CLIMATE, PRODUCTIONS, RIVER AND RAILROAD SYSTEMS,
TOWNS AND CITIES, PUBLIC INSTITUTIONS, AND GENERAL
ADVANTAGES AS A PLACE OF RESIDENCE.

PUBLISHED UNDER THE AUSPICES OF THE

SAN JOSE BOARD OF TRADE.

ILLUSTRATED.

CALIFORNIA STATE LIBRARY

SAN JOSE, CALIFORNIA:
MERCURY STEAM PRINT.
1875.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION C

SAN JOSE
BOARD OF TRADE

ORGANIZED MARCH 6TH 1874.

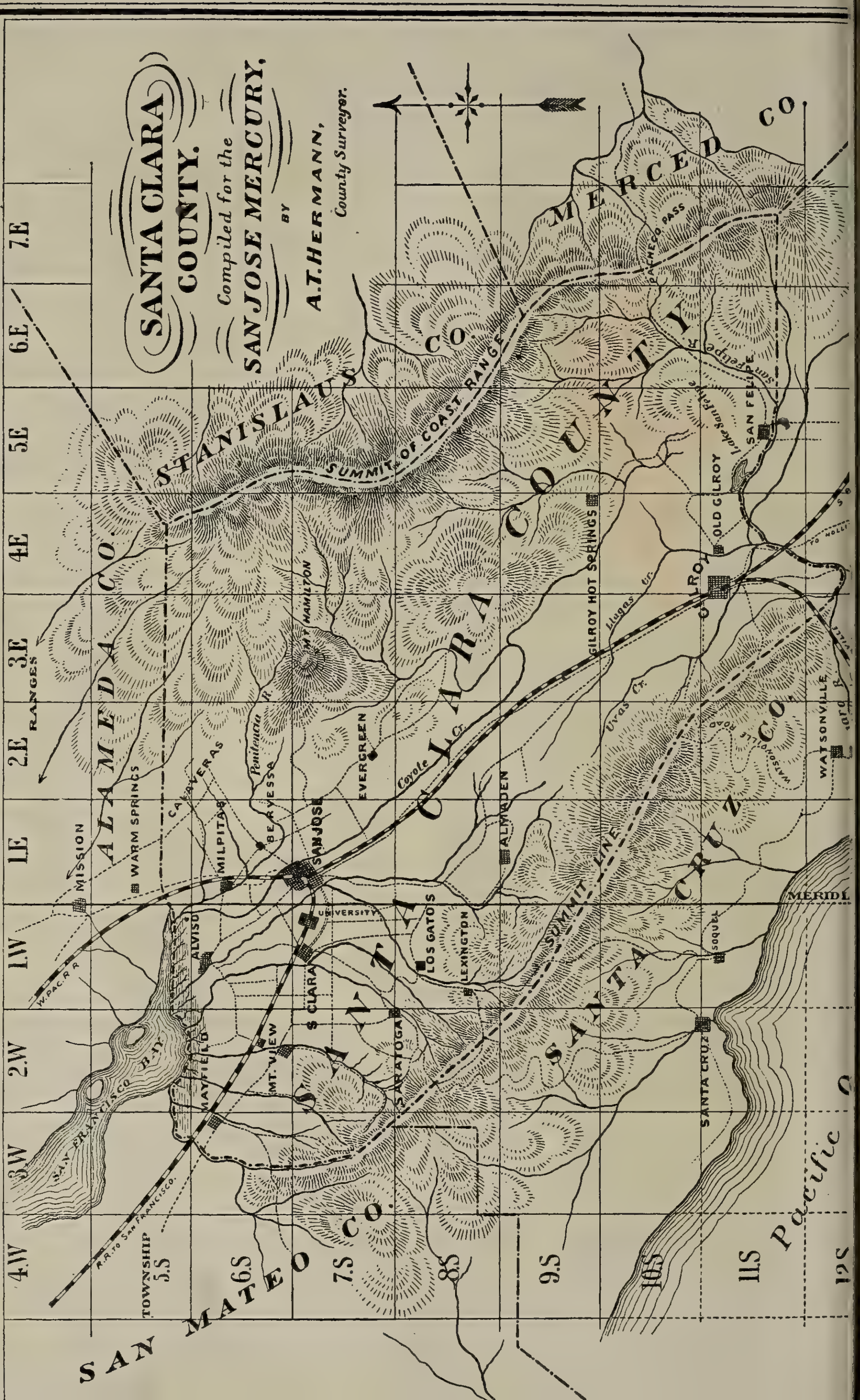
PRESIDENT, GEO. B. McKEE. VICE PRESIDENT, H. B. ALVORD,
TREASURER, L. LION. SECRETARY, F. H. NICHOLSON.

BOARD OF DIRECTORS:

A. E. POMEROY, CHAS. J. MARTIN, W. S. TUREMAN.
GEO. H. EMERSON, B. J. RHODES, J. B. PRICE.

MEMBERS.

NAMES.	FIRMS.	BUSINESS.
H. L. ANDREWS		Provisions
H. B. ALVORD		Hardware and Ag'l Imp's
F. BRASSY		Wines and Liquors
J. S. BENNETT	J. S. Bennett & Co.	Furniture
A. L. BOGGS	Boggs & Sage	Groceries
J. CARMICHAEL	Abel & Carmichael	Groceries
C. E. CAMPBELL		Stoves and Tinware
MILTON CAMPBELL		Stoves and Tinware
S. A. CLARK		Groceries
G. H. EMERSON		Books and Stationery
J. FEIST	Fiest Bros	Dry Goods
JAMES HART		Dry Goods
H. E. HILLS	Farmers' Co-operative Union	General Merchandise
C. A. HOUGH		Groceries
N. HOLDEN		Plumber and Gasfitter
L. LION		Dry Goods and Carpets
F. LUTHER	Luther & Schroder	Groceries
W. H. LENNARD	Empey & Lennard	Saddlery
B. McILRAICH		Groceries
C. J. MARTIN	C. J. Martin & Co.	Dry Goods
GEO. B. McKEE		Paints, Glass & Wall Paper
I. R. MORGAN		Dry Goods
DONALD McKENZIE		Foundry
J. R. MERCHANT	Conboie & Merchant	Drugs and Medicines
F. H. NICHOLSON	F. H. Nicholson & Co	Groceries
MAURICE O'BRIEN		Confectionery
A. E. POMEROY	Auzerais & Pomeroy	General Merchandise
J. B. PRICE		Furniture
J. W. PEMBROKE		Jewelry
B. J. RHODES	Rhodes & Lewis	Drugs and Medicines
E. P. REED		Broker
OSCAR ROSS	L. Ross & Son	Fruits
J. SINNOTT	Sinnott & Bro	Dry Goods
M. STERN		Saddlery
T. W. SPRING		Clothing and Dry Goods
S. STRAUS		Dry Goods
E. H. SWARTHOUT		Collector
W. S. TUREMAN	Tureman & Oakley	Clothing
E. J. WILCOX		Boots and Shoes
H. WATERMAN	A. Pfister & Co.	Grain Dealers
E. W. WHEELER	L. Houriet & Co.	Jewelry
A. WALDTEUFEL		Books and Musical Inst'mt's
C. A. YOUNGBERG		Paints, Glass & Wall Paper


SANTA CLARA COUNTY.
Compiled for the SAN JOSE MERCURY, BY A.T. HERMANN, County Surveyor.
RANGES
4.W
3.W
2.W
1.W
1.E
2.E
3.E
4.E
5.E
6.E
7.E
TOWNSHIP 5.S
6.S
7.S
8.S
9.S
10.S
11.S
12.S
SAN MATEO CO.
ALAMEDA CO.
STANISLAUS CO.
MERCED CO.
SANTA CLARA COUNTY
SANTA CRUZ CO.
Pacific O
SAN FRANCISCO BAY
SUMMIT OF COAST RANGE
SUMMIT LINE
R.R. TO SAN FRANCISCO.
W. PAC. R.R.
MISSION
WARM SPRINGS
CALAVERAS
MILPITAS
BERYESSA
Penitencia R.
ALVISO
MAYFIELD
MT. VIEW
S. CLARA
UNIVERSITY
SAN JOSE
EVERGREEN
MT. HAMILTON
Coyote Cr.
ALMADEN
LOS GATOS
LEXINGTON
SARATOGA
GILROY HOT SPRINGS
Llagas Cr.
Uvas Cr.
GILROY
OLD GILROY
SAN FELIPE
Lake San Felipe
San Felipe R.
PACHECO PASS
SOQUEL
SANTA CRUZ
WATSONVILLE
WATSONVILLE ROAD
MERIDI
TO HOLLI

ORNIA
STATE
LIBRARY.

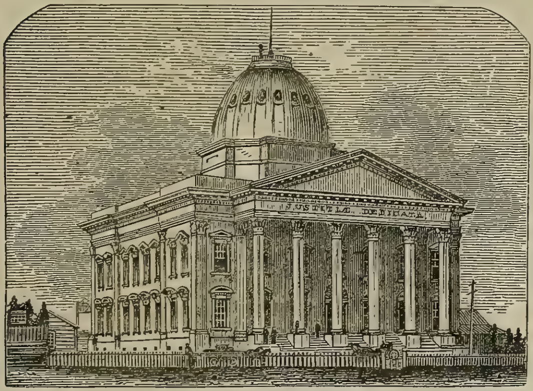
SANTA CLARA VALLEY

AND

ITS RESOURCES.

[NOTE.—There are so many people, strangers to this coast, seeking information concerning California, and especially of the Santa Clara Valley, with a view of making their future homes in this country, that we here propose to furnish, in a concise and epistolary form, an answer to the ever recurring questions concerning this Valley—its soil, resources, climate, etc., with such other information as the distant reader will most likely be interested in. A similar work, now out of print, appeared in 1873, published by J. J. Owen, of the "SAN JOSE DAILY AND WEEKLY MERCURY." From that work, with the permission of the author, we have drawn largely for the subject matter of this pamphlet—carefully revising the same, re-writing many of the topics, and adding several new features and subjects.]

THE SANTA CLARA VALLEY is justly considered the garden valley of the Pacific Coast. Embracing the southern arm of San Francisco bay and extending southward a distance of sixty miles, ranging in width from three to twenty miles, and running parallel with the seaboard, it lies embosomed in the coast range of mountains, a vale of surpassing beauty and fertility. The range of mountains on the west shuts out in a great measure, the cold, northern trade winds, that each day during the summer months sweep the Pacific Coast, and wards off the fogs that roll in at night from the ocean. Their influence, however, is sufficiently felt to modify the excessive heat of the interior; thus affording a mild and equable temperature throughout the year. The heat of summer is seldom excessive, and then only at short periods, and long intervals; and an occasional light frost marks the severity of winter.



[COURT HOUSE—SAN JOSE.]

The southern arm of the San Francisco bay is forty miles in length, and from three to eight miles in width. It is navigable mostly for vessels of the largest draft. Its shores are bordered by a belt of low lands, known as salt marsh, from one to two or three miles in width. Adjoining this belt, and reaching back to the hills and beyond, is a region of country of remarkable fertility, and susceptible of the highest degree of cultivation. Here grow in perfection nearly all of the cereals, many of the semi-tropical as well as all of the fruits of the temperate zone, and vegetables of all kinds in wonderful abundance and perfection.

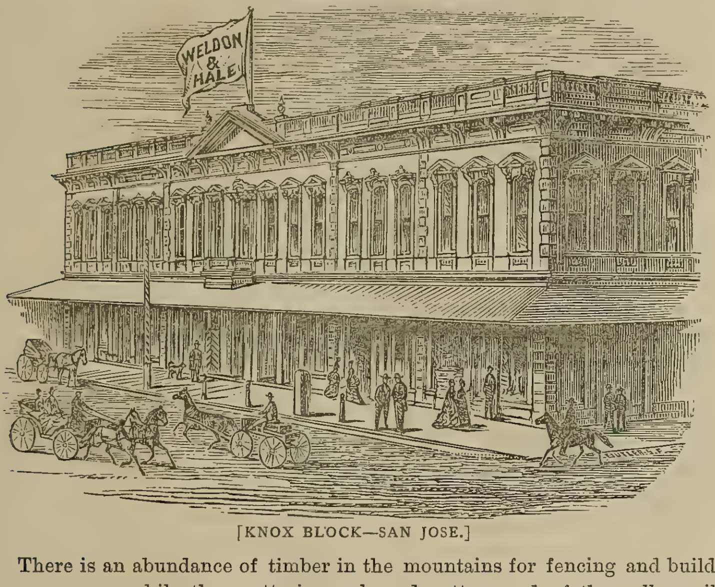
The Santa Clara Valley proper laps around the southern extremity of the bay, and extends southward to the Pajaro river, through what was once doubtless an extension of the bay, or an arm of the sea, which at some remote period separated the western or Santa Cruz range of mountains from the main land. On the eastern side, the hills are gently sloping and rolling, rising to an altitude of about 2,000 feet, arable and remarkably fertile to their summits. They separate the Santa Clara from the San Joaquin valley, and are from thirty to fifty miles in breadth. The western hills are more broken and rugged—seamed with deep ravines, and their precipitous bluffs crowned with chapparal. The ravines and hillsides are heavily timbered with forests of giant redwoods, oak, madrone, spruce, etc. These hills extend to the coast, and are nearly of the same breadth as those on the east. There are, however, among the latter, many little valleys and stretches of table land—cosy little nooks, and surprises of the most delightful scenery. Wherever these hills are susceptible of cultivation, the soil is found to be exceedingly productive, and especially adapted to the grape, and fruits of all kinds. Not only in the hills, but throughout the valley, the peach, nectarine, prune, apricot and plum, and also the larger fruits grow in absolute perfection.

Previous to the gold excitement of 1848–9, which brought a large accession of Americans to this coast, the Santa Clara Valley was settled by a scattering Spanish population, with a few wandering Indians. The country was used in common as a vast stock range, with but little attempt to cultivate the soil. And it was not until several years later that American farmers began to discover that here was a mine of wealth fully as valuable as the gold placers.

The soil of the valley is varied—in some places it is a rich *adobe* many feet in depth; in others a gravelly loam; in others still, a reddish loam and clay, mixed with decomposed rock. The latter is regarded as the natural soil for the grape, the choicest and tenderest foreign varieties of which here grow in perfection. This grape belt stretches for many miles along the western foothills, and is from two to five miles in length. The country in its native state was covered with scrub oak, with scattering white and live oaks, and occasional patches of chapparal. It is now mostly subdued, and brought under cultivation—producing fine wheat and barley. There are several large vineyards in this belt, whence are produced large quantities of excellent grapes and wine. It is known as the Foothills Wine District. The hills, also, produce the finest grapes and fruits.

The country around the bay, and in fact generally throughout the valley, is rapidly settling up, by the division of the original large tracts and grants of land into small farms.

Wheat and barley are the staple productions, although in the vicinity of San Jose and Santa Clara, and thence northward toward the bay—a distance of from seven to eight miles—much attention is paid to orcharding, to vegetable gardening and to the culture of strawberries, and other small fruits—for the sale of which the producer finds in San Francisco an excellent market. The facility for irrigation, afforded by the numerous flowing wells of this section (of which we shall speak hereafter), gives the gardener superior advantages in these matters; hence, in the culture of strawberries, especially, he has acquired a monopoly of the business—shipping in the season, from forty to sixty tons of berries a day.



[KNOX BLOCK—SAN JOSE.]

There is an abundance of timber in the mountains for fencing and building purposes, while the scattering oak and cottonwood of the valley will afford fuel for many years to come. Besides, forest culture, as a systematic industry, will soon add to the sources of supply. Live oak fuel is worth in this market from $8 to $9 a cord, and lumber from $25 to $35 per thousand feet, according to quality.

Santa Clara county contains an area of about thirteen hundred square miles. The population of the county, in 1870, when the last census was taken, was 26,246. The increase since then would make the present population about 32,000; two-thirds of which number are gathered together in the towns and villages. The county is some fifty-three miles in length, and from twenty to thirty miles in width—including the entire valley, and extending to the summits of the mountains on either side. About three-fourths of the territory is mountainous and sparsely settled. These mountain lands are valued at from five to forty dollars an acre—the latter figure covering the best improved farms. They afford excellent stock ranges, and wherever brought under cultivation are found to be reliable and very productive. They are especially adapted to the culture of the vine. They are watered by numerous springs and streams which, flowing into the valley, sink into the underlying gravel, furnishing the sources of the overflowing wells in the lower portion of the valley.

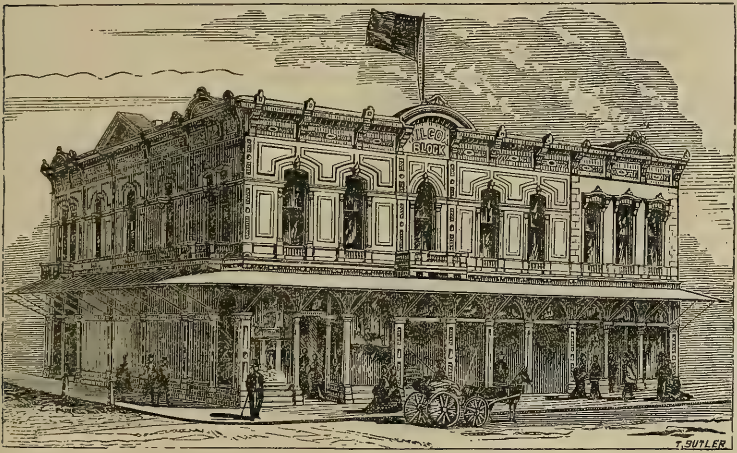
There are a number of large ranches in the valley, ranging from one thousand to twenty thousand acres. These tracts are partially occupied by tenants, but are mainly in a state of nature, and used as ranges for cattle. Some of these lands are now in the market; and the system of assessing them at their actual value, recently introduced, will soon induce the subdivision and sale of others, as the owners will find it too unprofitable to permit their lands longer to remain idle. The prices ruling for valley lands vary, of course, with quality and location. Choice vegetable and fruit lands, located within from one to three miles of San Jose are worth all the way from $100 to $400 per acre; while good grain lands, from three to six or eight miles distant, can be bought for $40 to $80 an acre.

RIVER SYSTEM.

The river system of this valley next claims our attention. From the head of the bay southward the ascent of the land is about ten feet to each mile, affording ample drainage for the surplus water of the rainy season. The Coyote is the principal river, although this is hardly worthy the name of river, except at times when swollen with the winter rains. It rises in the eastern range of hills, and uniting with several smaller streams, flows southward some twelve or fifteen miles, where it breaks through the hills about twenty miles south of San Jose, then turns to the north and flows down through the valley, past and to the east of the city of San Jose, and on into the bay. In the summer this stream is nearly dry, except where it leaves the hills. Through portions of the valley the banks are sharp and precipitous, in other places the river bed is broad and irregular. The Guadalupe river rises in the western hills, about fifteen miles distant from the city, seeks the center of the valley, and flows past the western boundary of the city, where it forms a junction with the Los Gatos, and thence on to the bay. The Los Gatos takes its rise in the same range of hills further to the north, and enters the valley through what is known as the Santa Cruz Gap, flowing past the enterprising manufacturing town of Los Gatos at the foothills, ten miles distant from San Jose, and furnishing water power for the Los Gatos flouring mills. It is also the source whence the San Jose Water Company derive their supply of water for San Jose and Santa Clara. Several small streams flow into the valley at different points, their waters sinking into the gravel as they reach the plain. Among these are the Penitencia, the Llagas, Almaden creek, Smith's creek, etc. The watershed of the valley is far less extensive than that of many of the interior valleys of the State; hence, although the streams rise rapidly during the heavy storms that sometimes occur—becoming wild, resistless and destructive torrents—yet they usually fall as rapidly, lasting but a few hours.

TOWNS AND VILLAGES.

Santa Clara Valley has its share of towns and villages, the largest of which is San Jose, the county seat. This city contains a present population of about fifteen thousand inhabitants. It is situated on a gently rising plateau between the Coyote and Guadalupe rivers, the main portion of the city being some ten feet above the highest flood waters,—is about midway of the valley, eight miles from the tide waters of the bay, and fifty miles nearly due south from San Francisco. The city is beautifully laid out, with broad and neatly graded streets, and contains many elegant public and private buildings, some samples of which will be found in this work. (Of these and other matters relating to San Jose we shall speak hereafter.)



[WILCOX BLOCK—SAN JOSE.]

Three miles distant, and connected with San Jose by a horse railroad running through the far-famed Alameda—one of the most delightful shaded drives on the continent—is the beautiful town of Santa Clara, the seat of Santa Clara College, and near which is located the University of the Pacific. The town has a population of about three thousand. The streets are broad and well shaded; there are many elegant private residences and fine orchards and gardens, several churches and good business blocks, and the people are noted for their intelligence, good order and thrift.

Twelve miles north of San Jose is the little village of Mountain View, of a few hundred inhabitants; and six miles further north is Mayfield, a place of considerable importance, and growing rapidly. These villages are located on the San Francisco and San Jose railroad, and are surrounded by a thickly settled farming country.

At the head of the bay, and without railroad advantages, is the village of Alviso. Here are several large storehouses for grain, and a large steam flouring mill. An extensive freighting business, of grain and other produce, is done between this point and San Francisco. A small steamer makes daily trips, connecting with a line of stages for San Jose, and carrying passengers through for one dollar—one-half the fare by railroad.

A few miles to the east of Alviso, on the line of the Western Pacific Railroad, which connects San Jose with Stockton and Sacramento, is the little village of Milpitas.

About twelve miles west of San Jose is the village of Saratoga, noted for its excellent mineral springs, its paper mills, and as being a place of popular resort. The scenery here is wild and romantic, and the place is assuming considerable importance.

Following the range of hills south we next come to Los Gatos, heretofore mentioned. It is a charming little manufacturing town, and is fast filling up with an industrious population. This place met with a serious loss, about a year ago, in the destruction of a fine woolen mill. It possesses the advantage of excellent water power.

Three miles from Los Gatos, back in the heart of the hills, is Lexington, a Santa Cruz stage station. The place has a good hotel, a store and several shops. The road thither leads through the Santa Cruz Gap, a deep ravine through which flows the Los Gatos creek. The road winds along the sides of the mountain, at times skirting the margin of frightful precipices, and is wildly, grandly picturesque.

A few miles further up the range from Los Gatos is the Guadalupe quicksilver mine, the yield of which is small and uncertain. A vast sum of money has been expended in the developement of this mine, and work is now being prosecuted thereon with vigor, and, as we learn, with improving prospects.

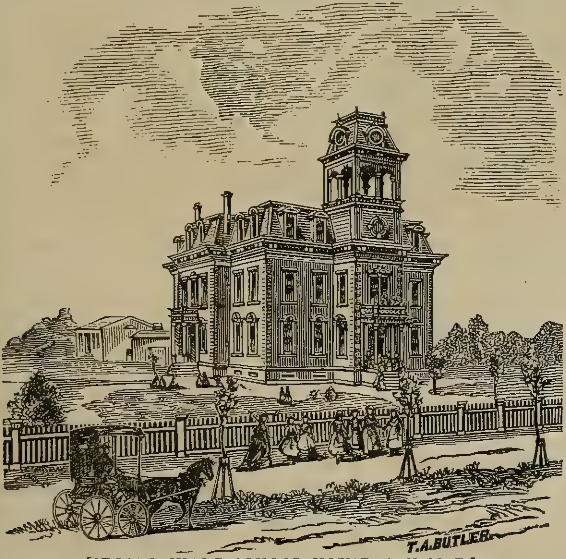
Two miles to the southeast of Guadalupe we come to the Hacienda, or mining town of Almaden—a gem of a place, situated in a deep gorge of the mountain. Here are located the reduction works of the world-famed quicksilver mines. The place is also noted for its springs of Vichy water, which at one time constituted quite an important article of commerce; but so many similar springs having been found elsewhere, their value is much depreciated. The mines at this place give employment to about six hundred hands, producing a monthly yield of seventy-five to one hundred thousand pounds of quicksilver.

Near the southern boundary of the county, thirty miles from San Jose, on the line of the Southern Pacific Railroad, is located the flourishing city of Gilroy, a place of about three thousand inhabitants. Gilroy was an unimportant village until the completion of the railroad to this point, a few years ago, when it sprang up as by magic, and shortly assumed a position in the county second only to that of San Jose. It is situated in the heart of a magnificent farming country, and possesses all the elements of growth and permanent prosperity. The business of dairying is carried on extensively in this section; and within the last few years the important industry of tobacco culture has assumed large proportions. An area of not less than six hundred acres of land is devoted to tobacco within a short distance of the town. So remarkably fertile is the soil that from three to four and and five crops of tobacco are harvested from the same land during one season. The Consolidated Tobacco Company, with a capital stock of $1,000,000, have their manufacturies located in Gilroy, giving employment, in all branches of the business, to several hundred hands. The tobacco, which in this country contains an excess of nicotine and other volatile oils, is cured by what is known as "Culp's process," whereby much of these oils is expelled, and an excellent quality of tobacco produced.

Oak Grove, San Felipe, Evergreen, Guadalupe, Lawrence's Station, Sherman and Alma, are the names of other places in the county that have hardly yet advanced to the dignity and importance of country villages.

RAILROAD SYSTEM.

Santa Clara county has about 70 miles of railroad in operation. The main trunk, or first link in the Southern Pacific Railroad system, enters the county from San Francisco, on the west side of the bay, and runs through the heart of the valley for its entire length, terminating, at present, at Hollister, the county seat of the new county of San Benito. A branch road connects with this line, a few miles below Gilroy, leading to Watsonville, the principal town in Pajaro valley, Monterey county, and located a few miles from the sea board; thence to Salinas, the county seat of said county, a flourishing young city of seven years' growth, and located about sixty-five miles due south from San Jose. From Salinas a narrow-gauge railroad leads to the old Spanish town of Monterey, eighteen miles distant from Salinas.



[SECOND WARD SCHOOL HOUSE—SAN JOSE.]

At San Jose the Western Pacific road intersects with the Southern road, and running northward and to the east of the bay connects at Vallejo Mills with the road from Oakland to Sacramento. Thus our railroad system consists of a grand trunk through the valley, diverging near each end of the county into two lines. Three daily passenger trains are run each way, between San Francisco and San Jose, over the road on the west side of the bay, and one on the east side. The latter road terminating at Oakland, connects with San Francisco by ferry. These roads, in point of construction and efficiency of management, are equal to any in the United States.

Of the railroad projects in contemplation, we may mention that of a narrow-gauge road to connect San Jose and Santa Clara with Alviso; thence to connect with a line of steamers for San Francisco. This project is entirely feasible, and we regard the completion of the work as among the accomplished facts of the immediate future. Another project, is that of a narrow-gauge road from San Jose to Santa Cruz, through the Santa Cruz Gap. This road has been surveyed and found to be practicable; and although it "hangs fire" at present, we doubt not it will be constructed at no distant day. It would open an extensive lumber region, valuable quarries of lime, etc; besides passing through much excellent farming country.

ARTESIAN WELLS.

We now approach the consideration of perhaps the most interesting feature of this beautiful valley—the flowing wells. We have hitherto stated that this valley was once evidently an arm of the sea. By the wearing away of the mountains, through countless ages of storms, assisted, perhaps, by the upheaval of earthquakes, it has gradually assumed its present appearance. This is evident from the fact that the artesian auger frequently penetrates logs of wood, imbedded in the sub-strata of clay and gravel, hundreds of feet below the level of the sea.

Although excellent water is found wherever a lower stratum of gravel is penetrated—and in the lower portion of the valley the first stratum, sometimes reached a few feet from the surface, usually contains an abundance of water—yet flowing water is only found within certain limits. These wells may be obtained in the country around the head of the bay and extending southward to and including the city of San Jose—a region of country ten or twelve miles in length, by from three to six in width; and also in the southern portion of the county extending from Gilroy southward a long distance. There is not an acre of this region that cannot be irrigated, through our long rainless summers, by these subterranean reservoirs. The streams flowing down from the mountains sink into the gravel, where the water is held in reserve by overlying strata of clay. The nearer we approach the sea level the greater is the force and volume of water from these wells. It is no uncommon occurrence for the water to rush through the pipes with such a force as to throw up rocks of a pound weight from a depth of two hundred feet or more.

There are hundreds of these artesian wells in and to the north of San Jose. In fact, so greatly has the number increased during the last few years, and so reckless has been the waste of water, in the absence of proper regulations restraining its flow, that the effect is telling disastrously upon the higher portion of the valley—in draining it of its moisture, and in exhausting many wells that once yielded an abundance of water.

In early times, when these wells were confined mainly to San Jose, a project was inaugurated to gather the water into a mill-race for the purpose of propelling machinery. A mill was erected near the Coyote for this purpose, but the enterprise was found to be impracticable, and was abandoned.

[THIRD WARD SCHOOL HOUSE—SAN JOSE.]

In San Jose flowing water is found at a depth varying from fifty to three hundred feet. For domestic uses many wells are only sunk into the first stratum of gravel, the water rising to within a few feet of the surface; and sometimes common inch or inch and a quarter gas pipes are used for this purpose. These are called surface wells.

To prevent the useless waste of water, as now generally permitted, some stringent legislation is necessary. The wells must be securely capped and the water used only when needed. They are the pride and beauty of the valley, and should be protected and preserved as a lasting source of usefulness and wealth.

SAN JOSE.

This city ranks third in the State in point of population—if we are permitted to include the thickly settled territory immediately adjacent to its chartered limits. It ranks first in point of beauty of location, general neatness, educational advantages and salubrity of climate.

According to "Hall's History of San Jose," the ancient or former site of the city of San Jose was about a mile and a quarter north of the center of the present city; but on account of the low grounds in that section the archives were removed to the present site. This occurred in the year 1797. For three-quarters of a century the pueblo consisted of little else than a small cluster of adobe houses, intensely Mexican in their construction, together with a church constructed of the same crude material. It was not until the discovery of gold, and California began to receive a large influx of population from abroad, that the town began to assume a position of any considerable importance.

San Jose was designated as the first capital of California, and the Legislature held its first session here, in the winter of 1849–50—the memorable "Legislature of a thousand drinks." It assembled here again the following winter, and soon after, accepting a glittering offer from General Vallejo, removed to the town of Vallejo, then a village of shanties, with one larger than the rest for the State Capitol. Not satisfied with its new quarters, it soon after packed up the archives and removed to Benicia. Here it remained for a short time, when it again resumed its travels, departing for Sacramento, where it now remains. This was known as "the Legislature on wheels."

The removal of the Capital from San Jose was a serious blow to the prosperity of the place. The prospects of the people were at first clouded, and their ardor quenched. Property in town lots was a drug, and the future of the city seemed anything but hopeful. About the commencement of the last decade, the place began to exhibit signs of permanent improvement, since which time its advancement in growth and prosperity has been as rapid as it has substantial.

Located about midway of the valley, surrounded by an agricultural country of remarkable fertility, convenient to San Francisco, and with a climate unsurpassed in healthfulness and salubrity by that of any other city in the world, San Jose has a future before her of magnitude and wealth second in the State only to that of San Francisco.

The main portion of the city is located between the Coyote and Guadalupe rivers, which at this point are one and one-half miles apart; but the suburbs extend for some distance beyond on either side, and are rapidly reaching out in all directions. Several new homestead enterprises were inaugurated a few years ago which met with favor, and afforded cheap homes to many people of moderate means.

There are in the city about forty miles of nicely graded streets, nearly all the grading of which has been done during the last eight years. The town is well laid out, the streets wide and many of them nicely shaded, and there is an air of thrift about the place that strikes all new-comers favorably. The city is lighted with gas; is well watered, both by artesian wells and a system of public water works; is provided with three public parks in the city—Market of two, St. James of eight, and Washington of thirty acres respectively,—and one park of four hundred acres located in the Penitencia canyon, a few miles to the east of the city. It has an excellent Fire Department, with good buildings, two fire steamers (of the Silsby and Clapp & Jones patterns), several hand engines and other appliances for extinguishing fires. Horse railroads cross the city at right angles.

Two private lines of telegraph extend generally throughout the city, which are used for the amusement and convenience of the members of the respective companies. The click of the "sounder" is heard in many a home. Women and children readily learn the art and amuse themselves in communicating with their friends in other parts of the town.

The city has, also, a well advanced system of sewerage, so necessary to a healthful sanitary condition of any city. Notwithstanding its many valuable public improvements, San Jose is entirely out of debt, and has several thousand dollars in its treasury.

PUBLIC BUILDINGS.

The public buildings of San Jose are especially worthy of mention. The Court House is a massive structure, of the Corinthian order of architecture, costing about $200,000. From its dome may be had a grand view of the city and valley, with the bay in the distance. From this altitude the country spreads out before the eye like a beautiful map, checkered with orchards and fields and quiet country homes. It is a favorite resort for sight-seers. Adjoining the Court House is a jail—the best in the State—constructed at a cost of $80,000. The State Normal School building, an illustration of which appears on the cover of this pamphlet, is located in the centre of Washington square. Its cost was over $200,000, and it is one of the most important structures in the State. The City Hall building, once notable as a Town Hall and Court House, is now used for city offices and a place of meeting for the Common Council. Of our public school buildings and churches mention will be made under their appropriate headings.

EDUCATIONAL FACILITIES.

[FOURTH WARD SCHOOL HOUSE—SAN JOSE.]

The three principal public school buildings, of which excellent illustrations appear in these pages, are fine, imposing structures—one erected at a cost of $25,000, the others at about $15,000 each. There are five other public school buildings, of lesser pretensions, for primary and intermediate grades, all of which are free and of the best.

The Academy of Notre Dame, of

which an illustration appears in our advertising pages, a boarding and day school for young ladies, under the auspices of the Catholic Sisters, is centrally located, occupying some twelve acres of ground, and with buildings and improvements valued at about one-half million of dollars. It is patronized by the wealthy classes of all parts of the State, and is regarded as among the first institutions of learning of the Pacific coast.

The San Jose Institute and Business College is a day and boarding school for both sexes, non-sectarian in character. The school was founded in 1862 by Freeman Gates, an experienced and successful educator, and it remained under his supervision until the time of his death, which occurred about two years ago. Since then it has been under the management of Mrs. A. M. Gates and Prof. James Vinsonhaler. The school now numbers about two hundred students. The buildings are commodious and pleasantly located, and there is a home-like air about the place that commends it to all who have children to educate. Connected with and centering in the institution, is a private telegraph line extending to various points in the city and to the town of Santa Clara, and the art of telegraphy is thoroughly taught to all who so desire.

Two miles distant, on the University Grounds, is located the University of the Pacific, a stately structure recently erected at a cost, we believe, of about $60,000. This school was formerly located in Santa Clara, but moved into the new building about four years ago. It is under the auspices of the M. E. Church. Connected with it is a seminary for young ladies, also a new and elegant boarding establishment for students.

Three miles distant, at Santa Clara, is located the Santa Clara College, under the management of the Jesuit fathers, (an illustration of the main buildings appears in the advertising pages of this work.) This College occupies a number of elegant buildings, in an enclosure of some twelve acres, in the heart of the beautiful town of Santa Clara. Its possessions are fully as valuable as those of the Sisters of Notre Dame, of San Jose. It is known throughout the coast as a first-class educational institution.

CHURCHES AND PUBLIC HALLS.

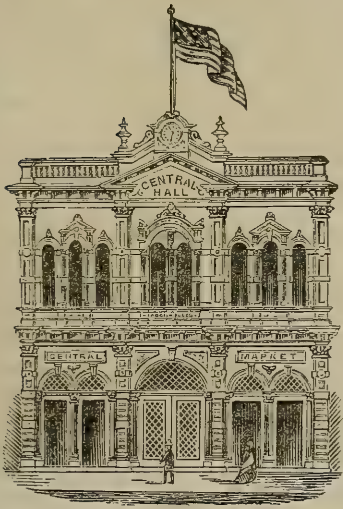
The churches of San Jose, in point of number and completeness, will compare favorably with those of larger cities. The largest and most expensive church is that of the Catholics, not yet fully completed according to the original design. It is constructed in the form of a cross, the main trunk of which encloses the old, long and narrow adobe church erected many years ago by the Mission fathers. A second Catholic church has recently been completed in another portion of the city. The Presbyterians, Methodists, Episcopalians, and German Methodists each have ample and elegant church edifices—all erected within the last few years. The South Methodists have now nearly completed a fine house of worship, costing, when completed and furnished, some $18,000 ; and the First Baptist Society have just commenced the erection of a new tabernacle to cost about $20,000. There is a new and elegant synagogue for the Hebrew worshipers. These churches are mainly constructed of wood, the better to withstand the occasional earthquakes. They embrace almost every variety of architecture, and are ornamental, and some of them very attractive. The Friends are provided with a good meeting house, and the colored people have a small chapel of their own. The Unitarian Society and the Society of Free Thought hold their meetings in public halls. Santa Clara and Gilroy are also amply provided with church accommodations; besides, several churches are scattered about the valley.

In the matter of places for promiscuous public assemblage, San Jose is provided with a fine theater, known as the Opera House, with a seating capacity of twelve hundred; Music Hall, one of the most elegant and commodious halls in the State; Central Hall, 60x137½ feet, arranged with stage and dressing rooms; City Market Hall, still larger in size, and capable of seating three thousand people. The Turn Verein and Germania Club have each fine halls for the use of their respective societies. There are also large halls in the Normal and Grammar School buildings; besides several places for public gatherings of lesser note. We doubt if there is any other city of the size in the Union so well provided in this matter, all of which is indicative of the intelligence and social character of the people.

Gilroy has a commodious little theater; and Santa Clara one of a larger capacity, connected with the Santa Clara College.

MARKETS.

Two new market buildings were constructed in San Jose about two years ago at a cost of over $40,000 each. One, the Central Market, is 300 feet long by 60 wide, fronting on First and Second streets, with a middle entrance from San Fernando street. We give annexed an illustration of the Second street front. The building was erected by Messrs. Hayes, Ryland and Downer, and is a model of convenience and elegance. City Market is a little smaller in dimensions, but more nearly square. It is a beautiful specimen of architecture, and was erected by a company of butchers, aided by other property holders in the vicinity. The floors of each are neatly asphaltumed, and the buildings throughout furnished with gas, water and every modern market convenience. These market buildings are considered by some a little in advance of the times, but at the present rate of the city's growth, the time is not far distant when all their available space will be needed.



PRIVATE RESIDENCES.

Among the accessions to the population of this valley, during the last few years, have been many persons of wealth and culture—from the mining portion of the State, from Nevada and some from the Atlantic States,—who have come here to establish permanent homes, where they can enjoy this incomparable climate, and the advantages of excellent schools, and enlightened society. The result is, many magnificent private residences, surrounded and adorned with every arrangement that cultivated taste and enlightened love for the beautiful can suggest. Many old citizens, too, who have grown up with the town, have made themselves homes here as beautiful as they are elegant.

Of the latter, first in point of magnitude and elegance is the princely estate of Gen. H. M. Naglee, located near the Coyote, in the eastern part of the city. The General's grounds, which are devoted to a private park, residence, brandy distillery, model vineyard, etc., embrace an area of about one hundred and forty acres. The grounds are ornamented with elegant statuary, artesian fountains, beautifully shaded drives, and rare plants and flowers. Here may be seen an avenue of magnificent eucalypti—trees of but six year's growth with trunks eighteen inches in diameter and sixty to seventy feet high—the marvel of the world. These beautiful grounds, with an unstinted liberality on the part of the proprietor, are open to the public, and they are visited and admired by strangers from all parts of the world. The General has in store on his place some sixty thousand gallons of fine grape brandy, of his own distillation, most of which is from choice foreign grapes, the product of his own vineyard.

Next among the older private residences is that of Mrs. S. J. Hensley, on First street, in the northern portion of this city. This beautiful private park contains twenty-five acres. Here may seen some beautiful specimens of the magnolia tree, which blossoms throughout the summer, together with many rare trees and plants from the tropics, all thriving luxuriantly in the open air. The grounds, which are kept with scrupulous neatness, are among the most noted and attractive features of San Jose.

Near Mrs Hensley's is the fine residence of Josiah Belden, an old pioneer, and a gentleman of large wealth. His grounds, some twenty-five acres in extent, are ornamented with stately shade trees, fine drives and walks, rare flowers and plants, etc. The family mansion, located near the center of the park, is substantial and commodious.

The most expensive dwelling house in the city is that of Mr. Clark, on Santa Clara street, at the corner of Eighth, erected about four years ago, at a cost of over $50,000. An unimposing structure outwardly, its interior arrangements are most elaborate and artistic. Another elegant residence is that of Mrs. Hill, on the Alameda, constructed a few years ago at a cost of over $30,000. The building is a fine specimen of ornamental architecture. It is located in the midst of beautiful surroundings. The new mansion of Thomas Hildreth, in the southeastern portion of the city, is an elegant and costly residence; so also is that of Wm. Hall, near the Court House. T. Ellard Beans, one of our substantial bankers, has a beautiful place on First street, near the railroad. His grounds are newly improved and are arranged with fine taste. Jackson Lewis, on Santa Clara street, has a delightful residence. His grounds contain the finest conservatory in the valley. J. H. A. Mason, near Market Square, has a new and elegant residence, [see illustration.]

RESIDENCE OF J. H. A. MASON—SAN JOSE.

Among other luxurious places, in addition to those we have illustrated, we may mention those of Judge David Belden, Judge Davis Divine, Hon. S. O. Houghton, Mrs. Allen, J. H. Flickinger, China Smith, J. R. Whitney, Daniel Murphy, Wm. P. Dougherty, E. Mc Laughlin, T. W. Spring, Dr. Stone, Dr. Ben. Cory, E. P. Reed, N. Hayes, S. A. Bishop, Hon. A. L. Rhodes, C. H. Maddox, C. W. Pomeroy, Victor Hoffman, Hon. B. D. Murphy, W. L. Tisdale, John W. Hinds, Dr. Backesto, Henry Philip, M. Levy, Judge W. H. Collins, Hon. J. N. Moore, and many others.

LIBRARY AND NEWSPAPERS.

The San Jose Library Association was incorporated in the fall of 1872. It succeeded to a small library of about 1,200 volumes hitherto belonging to the Young Men's Christian Association. Commodious rooms were fitted up in one of the principal business blocks; a large number of books were added by donation and purchase, swelling the original number to 4,000 volumes; a building fund was created, which now contains about $1,500; and the institution is on the high road to success. The roll of membership contains about 400 names.

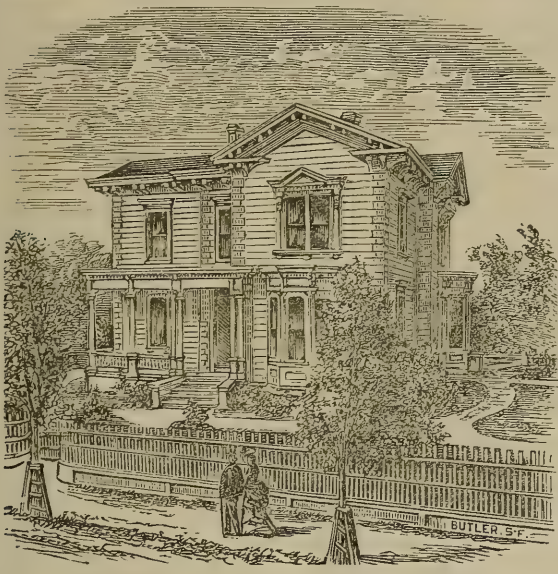
San Jose has two daily newspapers, the "Mercury," and "Patriot,"—the former a morning and the latter an evening paper. A weekly paper is published in connection with the "Mercury." There are also the "Santa Clara Argus," (weekly,) and the "California Agriculturist," (monthly). Two weekly papers, "The Gilroy Advocate," and "Weekly Leader," are published at Gilroy. The "Santa Clara Echo," a weekly paper, is published at Santa Clara, and "The Owl," a monthly magazine at the Santa Clara College.

CLIMATE.

It is difficult to give any written description of this climate that will convey a clear idea of the same to the stranger, especially to one familiar only with the climate of the northern States of the Atlantic side of the continent. Notwithstanding all that has been written and published on this subject, the almost universal opinion of the stranger visitor is that "the half had not been told him." The difficulty in the way of making a lucid statement of the facts in the case consists in this, that the climate of California varies with almost every locality, preserving but one feature that is in any general sense uniform—wet winters and dry summers. In the Sierra Nevada mountains snow falls in winter frequently to a great depth, and upon the mountains of the Coast Range, also, in small quantities; but none in the principal valleys. The winters along the seaboard, and wherever the country approaches the sea level, are warm and pleasant, with alternate showers and sunshine—something like a New England April without its extremes. In the summer the cold northern trade winds sweep the coast regularly each day, commencing at about ten o'clock in the morning and continuing until sunset, with cool and cloudless nights and the most delightful mornings imaginable. In the remote valleys, beyond the reach of the trades, the summer heat is very intense at times, and the air dry. In the coast valleys, like those of Santa Clara, Napa and some smaller valleys, where the winds are broken by intervening ranges of mountains, the summers are mild and salubrious—neither too hot nor cold.

But a description of the climate of this valley claims our especial attention. Beginning with the winter or rainy season, which usually sets in in December, (although occasional showers occur before that time), the season of vegetable growth commences. The summer winds have ceased, except those that blow from the south, bringing with them the welcome rain. This season is not, as many suppose, a season of almost continuous rain, but of showers, and sometimes several days of rain together, followed by weeks of pleasant weather, during which the farmer tills and seeds his land. The roads become firm and smooth, and the country begins to assume its best appearance. Excessive rains, however sometimes occur, when for a time the roads become almost impassable. The heavy rains are over by March, with occasional showers as late as May, when the verdure attains its perfection of growth, and the country is looking its loveliest. No snow falls in the valley, but it may frequently be seen upon the distant hills, where it remains, however, only a few days at most. Frosts sometimes occur severe enough to destroy the more tender plants, but not to interfere with the growth of grasses and many kinds of vegetation. The grasses are all annuals except a coarse variety of clover, lately introduced, and known as alfalfa. This clover is immensely rooted, the roots sometimes extending into the earth a depth of ten to fifteen feet—a hard woody fiber an inch in diameter. It retains its verdure throughout the year, and affords excellent pasturage for cattle. Roses remain in foliage all winter, blossoming in sheltered places throughout the season, and many kinds of evergreen shrubs and trees, unknown to the eastern climate, give a cheerful appearance to the landscape. The apple, pear, peach, plum, and other varieties of fruit trees, shed their leaves as in the east.

And now comes the season of harvesting, which our farmers perform at their leisure, leaving their stacks unprotected, and their grain piled up in sacks in the open field, for weeks and months together. No rain ever comes to disturb their labors. It is the finest harvest weather imaginable. The days are uniformly cool, with rare exceptions, enabling man and horse to accomplish the largest amount of work with the least fatigue. During the forenoon a good breeze springs up from the north, blowing steadily till night; but unlike the cold winds of the seaboard, it is tempered to a genial mildness by the fervid rays of the sun. From May until October, the sky is usually cloudless, save with an occasional fog bank hovering over the valley in the early morning, which is soon dispelled by the sun. There is but very little dew; vegetation dries up; the fields become sere and brown, roads exceedingly dusty and a universal drouth prevails. The grasses, though dry, retain their nutriment, and the cattle thrive thereon, until the winter rains again bring forward a new growth.



RESIDENCE OF CUTHBERT BURREL—SAN JOSE.

These long dry summers are really the perfection of this climate. The dry, cool atmosphere is a sure protection against malaria, hence fevers are almost unknown; and the nights are positively grand. Invariably cool enough to require thick covering, sleep becomes a luxury rarely enjoyed in other lands. It is this peculiarity of climate that gives such perfection to our cereals, such luster and lusciousness to our summer fruits.

Then come the hazy autumn days. The trade winds have ceased. The atmosphere grows thick with gathering moisture. The changing currents whirl the dust and leaves into weird columns. The south wind settles down to its work, and the drama of the seasons is repeated.

EARTHQUAKES.

There is a sort of nameless terror about an earthquake to those who have never experienced one, and to many who have, the sensation is anything but pleasant. But they are trifles compared with the terrible thunder storms and hurricanes that prevail on the other side of the continent. Hundreds of people are killed by lightning there to every one that loses his life by earthquakes here. The thunder storms and tornadoes have this advantage, however: they send their warning signals of gathering, skurrying clouds ahead, to prepare people for the dire disaster which may soon follow. The earthquake steals upon one when he least expects it. A sudden jarring of the earth, with perhaps a deep rumbling noise, followed by a quick oscillating motion, which dies away in a gentle, tremulous vribration, and all is quiet. The shock seldom lasts longer than eight or ten seconds. Many months sometimes intervene between these earth shocks, and then again we have known several to occur in a single day. For the last three or four years they have been very rare.

The heaviest shock, in this valley, of which we have any recollection, occurred about seven years ago, when some brick buildings in San Jose were more or less injured—fire walls and chimneys were thrown down, plastering cracked, etc. The shock extended for several hundred miles along the coast, causing considerable damage to property in San Francisco and other places. It taught architects the necessity of improving their methods of building, by bracing and strengthening their walls in a more secure manner. In the construction of chimneys, also, galvanized iron has been substituted largely for brick. Wooden buildings are considered earthquake proof. They are seldom damaged to any considerable extent by the shocks.

There are various theories concerning the cause of these disturbances, which at present, however, are mainly speculative. It is possible that scientific research may eventually fathom the cause, if not provide a remedy. The electric theory has many advocates. In other countries the equilibrium of the upper air currents of electricity and those of the earth is established and brought about through the medium of cloud conductors, as witnessed in the lightning's flash followed by the thunder peal. Here there are no cloud conductors during the summer months. The earth, it is supposed, becomes overcharged with electricity which seeks an equilibrium with the upper air currents; hence the disturbance. This theory is strengthened by the fact that earthquakes usually occur in the fall of the year when the clouds begin to gather and the air becomes filled with moisture. "Good earthquake weather," is what old residents designate a warm, cloudy day preceding the winter rains. The "internal fire" theory has also its advocates. But whatever may be the cause, we much prefer an occasional earthquake to the frequent electrical disturbances that cause so much disaster to life and destruction to property in the Atlantic States.

THE WARM BELT.

A few years ago, the writer, while visiting the mountains in the vicinity of Lexington, late in the fall of the year, observed a vineyard on the mountain side, in the lower portion of which the leaves were seared and blighted with the frost, while the vines further up the hill were still fresh and green. Upon inquiring into the matter he found that such was a common occurrence —that the frost seldom affected the upper portion of the vineyard. Other portions of the mountains were examined, on both sides of the valley, and from comparing notes with the settlers in those localities, it was ascertained that there was a belt of country lying upon the mountain sides that was almost entirely exempt from frost. This belt commences at an altitude of about four hundred feet above the level of the valley, and extends to an altitude of about twelve hundred feet—including a belt of country upon the mountain sides of from one to three miles in width, and stretching along the whole length of the valley. It is so distinctly defined that residents of the mountains, in riding up from the valley, in the night time, when the air is still, can tell within a few rods where they will enter the warmer currents.

RESIDENCE OF J. S. CARTER—SAN JOSE.

This section is known to all residents as the Warm Belt. The explanation of this singular feature is supposed to consist in this: The warm air of the valley rising at night along the mountain sides, meets the currents flowing in over the mountains, and is formed into an eddy which hugs the land and wards off the colder temperature. In this region frost is rarely known to occur. We have seen potatoes harvested in March, in this belt that grew and ripened in the open air during the preceding months. Oranges, too, as fine as the best tropical production, are grown in the same belt—as yet upon a small scale, but indicative of what can be accomplished.

It must be borne in mind that these hills are yet almost in a state of nature. They are sparsely settled, and but few improvements have yet been made—settlers preferring the valley lands at a much greater cost. At the same time the hills offer attractions and advantages for country homes that cannot be found in the valley. The lands are cheap, and the titles generally unquestionable. Their immunity from frosts will no doubt be taken advantage of, at no distant day, in the cultivation of the orange, lemon and many kinds of tropical fruits not entirely indigenous to the valleys. This region is also especially adapted to the culture of the English walnut, pecan nut, almond, etc., and possesses the natural soil and climate for the olive, the raisin-grape and fig.

MANUFACTORIES.

The manufactories of this valley are not so numerous or diversified as could be desired. This is owing chiefly to the high price of labor and high rates of interest. With white labor at from two to four dollars per day, and the ruling rates of interest at from 1 to 1¼ per cent per month, it is hardly to be expected that capital will seek investment in manufacturing enterprise to any great extent. Still, notwithstanding these drawbacks, this valley presents a fair showing in this line. In San Jose, we have the San Jose Woolen Mills, erected at a cost of about $125,000—a two-set factory, and most complete in all of its arrangements; three founderies and machine shops, three flour-mills, three planing mills, five or six carriage factories, three breweries, three distilleries, two large fruit-drying establishments, one fruit cannery, two candy factories, one glove factory, one broom factory, one tannery, one coffee and spice mill, one starch factory, one furniture factory, and several other establishments incident to the general business of the place.

One of the most important of our manufacturing enterprises is that of the Santa Clara Valley Milling and Lumbering Company, under the general superintendence of W. P. Dougherty. This Company gives employment to about one hundred and fifty hands. Their mills in this City turn out all kinds of manufactured lumber—doors, shutters, mouldings, brackets, and in fact every fancy of the architect is here outwrought in the most complete manner. This company furnishes much of the manufactured lumber used in the southern counties. Froment & Co. and J. W. Chase & Co. also turn out large quantities of manufactured lumber.

Santa Clara has two flour mills, and a brewery; Alviso and Gilroy each fine flour mills; Saratoga, a tannery, two paper mills and flour mill; and Los Gatos, a flour mill. Other manufactories give employment to a large number of operatives. With reduced rates of interest and a larger population, we may reasonably expect an increase of manufactories.

BUILDING AND FENCING MATERIAL.

The first inquiry of the stranger concerning a new country is, what of the the wood and water? Is fencing and building material abundant? California—at least the main settled portions thereof—can hardly be called a new country. We are a quarter of a century old, and have made as rapid advancement in prosperity as could possibly be expected of a country so far removed from the great centers of population. In this valley especially, we cannot see where we are at all behind the most favored portions of any new settled country. Our highways, schools and churches are all that could be expected or desired. Well fenced, thrifty farms may be seen on every side.

For private residences, redwood is our main stay, brick and stone being confined almost exclusively to business blocks. Redwood is abundant and reasonably cheap. The mountains west of the valley cannot be exhausted of this timber for the next fifty years.

Extensive quarries of freestone, of a very superior quality, exist a few miles from San Jose. This stone has been found almost equal to fire-brick to withstand intense heat. It is easily worked, and is attracting much attention among architects and builders of San Francisco, where there is an increasing demand for it. It may be obtained of any desired size, and at comparatively small expense. Lime, lath and other building materials are quite as cheap here as in any of the older States.

RESIDENCE OF E. L. BRADLEY—SAN JOSE.

Our best farm fences are constructed of redwood split pickets, the ends sharpened and driven into the ground. We have no frosts to heave these pickets out, and a fence thus constructed will last a life-time. Redwood is as durable as red cedar. It splits readily and makes the best of shingles.

CULTURE AND PRESERVATION OF FRUIT.

The culture and preservation of fruit are attaining an important position among the productive industries of this valley. The readiness with which fruit of all kinds can be grown here, has induced many to engage in the culture, and hundreds of fine orchards may be seen in and around San Jose and Santa Clara, and many in other portions of the valley.

Previous to the completion of the overland railroad, we had but little market for our fruits, and, every season, hundreds of tons of luscious pears, apricots, peaches, plums, prunes, etc., were suffered to perish for want of consumers. With the completion of this railroad, a more thrifty economy was inaugurated. Our fruit growers now ship large quantities of fresh fruit—mostly pears—to the east. Last fall not less than one hundred car-loads were sent over the mountains. But this comprised but a small portion of our surplus product.

Within the last two years, two large fruit drying factories have been established in this township—one working by what is known as the "Stevens" process, and the other the "Alden" patent. The latter was introduced last season by a joint stock company. This industry is yet in its infancy, but is surely destined to become a vast source of revenue to the county.

In addition to these, we have a fruit-canning factory, which is meeting with excellent success. This enterprise was inaugurated three years ago by J. M. Dawson, a thorough going business man, then recently from the East. The first year he put up only 10,000 cans, using great care, however, in the selection and preparation of his fruit. The following year he increased his product to 100,000 cans. The superior quality of his fruit soon created a demand that he was unable to meet. Then forming a joint-stock company, with increased capital and facilities, a quarter of a million cans was the result of last year's work. The present season of 1875 it is expected that the product will foot up a million cans, giving employment to one hundred and fifty hands—mostly women and children—throughout the summer and fall.

Orcharding has received a fresh impetus from these enterprises, and there seems to be no limit to the extent to which it may not be carried.

One feature of our fruits is especially worthy of note: they are absolutely free from all insect pests. The curculio is unknown, and the plum, prune and cherry thrive here as we have never seen elsewhere.

VINEYARDS.

Vinegrowing and wine-making constitute a prominent industry in this valley. There are many large and flourishing vineyards, producing in perfection every variety of table and wine grape. A belt of gravelly soil adjoining the foothills, a few miles south-west of San Jose, from four to five miles in width, and eight to ten miles in length, together with a portion of the arable lands of the eastern slope of the Coast Range of mountains, has been named the "Foot Hills Wine District." It is here that the grape finds a genial home, as regards both soil and climate, being free from the fogs and frosts that sometimes work an injury to the vine in the main valley.

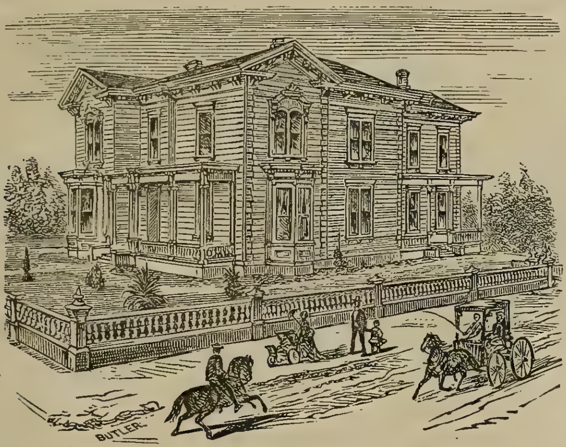
The principal vineyards in this district are the "Lone Hill" vineyard, owned by D. M. Harwood, comprising 155 acres; "New Almaden" vineyard, by Chas. Le Franc, 100 acres; "Grand Ridge" vineyard, by S. P. Stockton, 50 acres; "Live Oak" vineyard, by N. H. Stockton, 50 acres; Isaac Branham's vineyard, 50 acres; W. H. Hughes' vineyard, 15 acres; J. J. Roberts' vineyard, 25 acres; and Mason's vineyard of 10 acres. There are also a number of smaller vineyards in the vicinity of Los Gatos and Saratoga, also in the mountains above Lexington. In a few years it is expected that the vineyards of this district will produce from five to six thousand tons of grapes, sufficient to produce nearly a million gallons of wine. In these vineyards may be seen many varieties of grapes,—from Africa, Europe, South America, etc.,—growing alongside of those indigenous to the United States; all in the greatest perfection.

The market price of grapes for wine purposes is from $15 to $30 per ton, and the yield of grapes from ten to eighteen tons per acre.

POPULAR RESORTS.

There are many places of popular resort in this county, with delightful drives leading thereto, which are taken advantage of by pleasure-seekers. San Jose itself is a center of attractions for tourists. Its splendid hotels and charming surroundings need but to be seen to be appreciated. But the greatest charm of all is its climate.

Seven miles distant from the City are the white sulphur, chalybeate and other mineral springs, located in Penitencia canyon, on the City Reservation. This reservation comprises a portion of the Pueblo lands, four hundred acres in extent, originally belonging to the City, and which was reserved from sale for the purpose of a public park. It embraces a wild, rocky gorge in the eastern hills, through which flows a fine mountain stream. The canyon widens out in several places into little valleys of from one to six or eight acres. It is thickly wooded, and affords a most delightful place of resort for picnic parties and visitors generally. A small hotel has been erected here, with conveniences for warm sulphur baths—the water from one of the largest springs being of just a comfortable temperature. There is also a commodious dancing floor constructed in the shade of the live oaks, and during the spring and summer months it is brought into frequent use.



RESIDENCE OF ED. WILLIAMS—SAN JOSE.

Three years ago, under a legislative enactment procured for that purpose, the right of way for a grand avenue, leading from the City to the park, was secured, a fund provided by taxation, and a Board of Avenue and Park Commissioners appointed to carry the law into effect. The Commissioners selected were gentlemen of wealth and leisure, who were pleased to donate their services for the public good. One of the members, Gen. H. M. Naglee, a West Point graduate and a gentleman of excellent taste in such matters, and of first class engineering skill, was appointed Chairman of the Construction Committee, and into his hands was given the sole work of laying out and opening the Avenue and developing the Park. Most efficiently and satisfactorily has he performed his work.

The Avenue, which is generally known as Naglee Avenue, is now completed, and is pronounced by all who have seen it as one of the most delightful drives in the State. It is one hundred feet in width, and lined most of the way on each side with two rows of trees. It leads out in a straight line from the City about five miles till it reaches the foothills, when it winds by easy grades over a spur of the mountain and down into the Canyon. Thence it follows up the creek about one and a half miles to the springs and hotel. The road opens up, at various points, some of the most charming surprises of mountain scenery imaginable. The amount of money thus far expended upon the work is about $25,000.

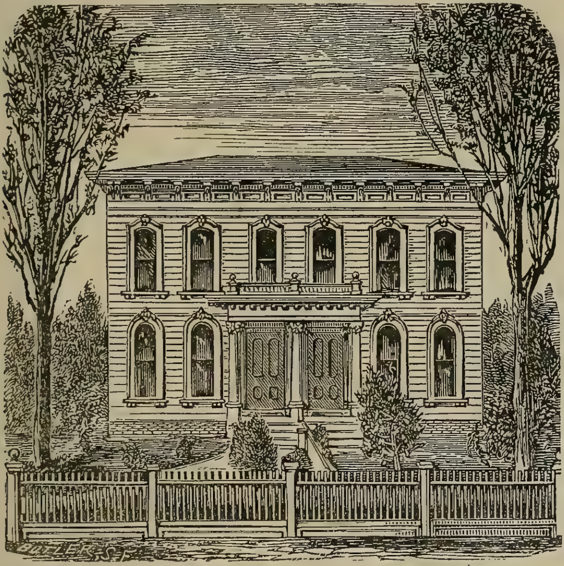
The following description of a ride over this road, by a San Francisco visitor, and published in a late number of the *S. F. Call*, will give some idea of what others think of our Avenue and Park:

"It was a little startling to the visitor from a land where every portion of the road is protected—where every five-foot bank is strongly fenced and every streamlet securely bridged—it was rather startling to his nerves to ride behind a team driven leisurely along a ten-foot road, cut in the side of a cliff, from the edge of which there was no barrier between himself and a dead-down, direct fall of six hundred feet—a mighty chasm, whose formation is so precipitous that at midday its bottom is hidden in the darkness of night, and from out its gloomy depth only the topmost branches of tall trees catch the light of day. As we descended we breathed freer, and willingly exchanged the majestic portion of the park for the loveliness of the road that winds beside the stream, leaping along the bed of the ravine. Every turn of the serpentine road discloses new beauties; high-piled rocks, from whose crevices hang cool, waving ferns; arches above the road, where hanging foliage from the jutting cliff mingles with graceful trees bordering the road's outer edge; dark, cool, silent trout holes, almost hidden by the overhanging branches; now, a loud brawling of the shallow, swift-running waters at some obstructing pile of stones, disputing the right of way. This angular pile of rocks, like a castle built upon the waters' edge, throws such a deep mass of shade that the trunk and outstretched branches of this old buttonwood look white as chalk against the background. The warm, red leaves of the poison oak light up the shadows in the cool green places, delighting the eye—dangerously attractive. Every little way, as we ride on, we see before us an impassable wall of rock, apparently a cul de sac. Half a dozen times we have, in our road, come upon just such a barrier, that melted away as soon as we were directly upon it; but this last one is the real and abrupt ending of our drive. No! here comes a high-stepping team apparently right out of the wall of the rock; and, as we passed them, the clear road, concealed before by the clustering trees, is open, wider than in any part of its devious way, and we speed on; soon turning directly across the flowing brook and up the bank to the little hostelry, snuggled down in a small valley, closely surrounded by steep hills like those about the White Sulphur Springs at Napa. Believing ourselves to be the only human being who could have strayed so far from civilization into this primative show-place of nature—this miniature Yosemite—we are surprised to see twenty or more carriages, and many people from San Francisco. Following the crowd we came, after walking a hundred yards, to several medicinal springs only a few yards apart. The water of one was quite warm, and odorous as Blue Lick. Another was cooler and strongly impregnated with iron. The assembled people drank eagerly, and those long acquainted with these springs were strong in praise of their healing virtues.

The spot seemed the most soothing, restful nook in all nature; the high, sheltering hills shutting out the wind, which was exceptionally strong that day, sounding loudly among the trees upon the hill-tops, but never, save in sound, reaching the warm, peaceful valley where we stood.

One of our party, who had visited every public park in Europe and America, said no one of them could compare in natural beauty with the San Jose Park. Thirteen millions of dollars spent in the Central Park of New York do not make it even approach the natural effects in this place of Nature's lavish handiwork, where, up to the present time, only twenty-one thousand dollars have been expended. General H. M. Naglee is the Park Commissioner, and we are told on good authority that the road has been laid out and all the grades run without the aid of instruments, entirely by the eye. The General is a natural artist and an engineer by education, being a graduate of West Point; and when we note the skilful manner in which Art has co-operated with Nature, clearing away masses of undergrowth and trees to open charming vistas, turning the road to save obstructing trees whose presence aids the effect and cannot be well spared; when we saw the arrangement of stones and fallen trunks of trees in the bed of the brook to produce little cascades and limpid pools, so naturally disposed, we cannot but think the citizens of San Jose very fortunate in the selection of their Park Commissioner, and, also, that we were in luck when mine host Churchill, of the Auzerais, told us that for sight-seers in San Jose, the Park was the correct thing."

But the principal watering place of the county is the Gilroy Hot Springs, located in the eastern range of hills, about twelve miles easterly from the city of Gilroy. Here is a fine hotel, together with some forty or fifty little cottages scattered around among the trees, for the use of visitors; also extensive accommodations for bathers. The scenery is grandly beautiful. The waters, which are strongly impregnated with minerals, are abundant, sparkling as crystal, and of a temperature of 112 degrees. Within a few feet of the hot springs is a spring of pure cold water. The Coyote creek flows through the canyon close by, abounding, in the season, with speckled trout. This place is the resort of hundreds of visitors every summer—seekers of pleasure and health. The mountains in the vicinity abound in game, and are the delight of the sportsman. The place is under the management of Roop & Cottle, who spare no pains to please their throngs of visitors, and admirably do they succeed. Stages connect with the trains at Gilroy to convey passengers to the Springs. The roads are kept in excellent condition, and the ride is invigorating and delightful



RESIDENCE OF HON. J. J. DENNY—SAN JOSE.

BANKS.

San Jose contains many wealthy citizens, and hence an abundance of capital. This is indicated in the lavish expenditure made in the architectural ornamentation of their business blocks, and in the construction of palatial private residences. It is especially noticeable in the magnificent bank buildings of the city, of which there are four, the Bank of San Jose, the Commercial and Savings Bank, the San Jose Savings Bank and the Farmers' National Gold Bank. Illustrations of all but the last named of these banks appear in the advertising pages of this work. The Bank of San Jose has a cash capital of $250,000, gold coin. It is a joint stock coporation, composed of a dozen or more solid business men, well known for their integrity and financial soundness, and is officered as follows: President, T. Ellard Beans; Cashier, Clement T. Park; Secretary, C. W, Pomeroy. This Bank transacts a general banking business, and has also a Savings department. The Commercial and Savings Bank has a capital of $1,000,000. It does a large general banking business, and has the entire confidence of the community. It corresponds with some of the leading banks of the world. Its founders are men widely and favorably known. It is officered as follows: President, B. D. Murphy; Vice President, C. T. Ryland; Cashier, Herman Hoffman; Secretary, Thomas M. O'Toole; Manager, E. McLaughlin. The San Jose Savings Bank has a capital stock of $600,000. It does a general savings and loan business, and is in the hands of upright and thorough business men. Following are its officers: President, John H. Moore; Vice President, S. A. Bishop; Cashier, H. H. Reynolds; Secretary, H. L. Cutter. The Farmers' National Gold Bank has a paid up capital of $500,000, with the following officers: President, John W. Hinds; Vice President, E. C. Singletary; Cashier and Secretary, W. D. Tisdale. This bank has been in operation only a few months, but like its predecessors its management is in careful hands. These banks all transact business on a gold basis, which is the common financial basis of the State—gold, silver and gold notes being the current medium of exchange. They buy and sell greenbacks in the same manner that Eastern banks deal in gold coin, and issue bills of exchange on Eastern cities payable in either gold or currency.

CHEAP LANDS.

We often hear it said, that a serious drawback to the rapid population of our city and county is the high price of lands. Facts will hardly bear out this statement, as we think we are able to show.

That business property, in choice locations, is held at what seems, to strangers, an exorbitantly high figure, we will not gainsay. So also of fancy locations for private residences, fancy prices are asked and obtained. But that there is much suburban property that can be bought for really low prices, is beyond question.

The choicest garden and vegetable lands, within from one to two miles of San Jose, can be bought at prices varying from $150 to $300 per acre. These lands will certainly be worth four times these figures in a few years. Many of these lands will yield to the owner a clear profit of from $50 to $80 per acre in fruit culture, annually.

Coming within the city limits, within from ten to twenty minutes' walk from business, any number of desirable building lots can be had at prices ranging from $200 to $500. These are not high prices by any means, when the advantages of San Jose for homes are fully considered. Look at our splendid school buildings, all paid for; our fine churches; our wide and beautiful streets; our growing prosperity, and above all, our matchless advantages of soil and climate, and who shall say that these prices are not reasonable? Why, there isn't a foot of this property that will not double and quadruple in value within the next five years.

Leaving the city, we go out among the farmers, and there we find, as a rule, that farm property is held at moderate prices. Of course, well improved farms are not "lying around loose," to be had for a song. Some farmers do not wish to sell at any price. But thousands of acres of choice land, partly improved, can be had at prices ranging all the way from $10 to $150 an acre. Excellent hill lands in the Warm Belt, within ten miles from San Jose, all ready for the plow, can be bought for less than $10 an acre; and choice valley lands for from $40 to $80.

We say these are not high prices as compared with lands in other localities not one-half so inviting as this. Of one thing we are quite certain, and that is that the prices will never be lower. Hence, investments in real estate, in this valley, at present prices, high though they may seem to the stranger, cannot prove otherwise than safe and remunerative.

QUESTIONS ANSWERED.

A gentleman in Illinois writes to inquire whether there is an opening in San Jose for a homeopathic physician.

San Jose has several of this kind, who we believe have a fair practice. As this valley is free from malarial fevers of all kinds, and the amount of sickness as compared with our population is proportionately small, we can't say what the chance of success would be for another physician of any school. As a large number of invalids come here from other sections of the country, seeking health and homes, we shall doubtless always find employment for good physicians.

A correspondent writes from Philadelphia to inquire the cost of living, and whether he could support a wife and three young children on an income of $1,200 a year. We answer as follows:

Good board can be had here in private families all the way from $5 to $10 per week. A cheaper way to live, however, with a family, would be to keep house. You could rent a neat little cottage, large enough for your family, for $15 to $20 a month. Provisions of all kinds are reasonably low—flour from $5 12½ to $5 37½ per barrel; potatoes one cent to a cent and a half a pound; groceries as cheap as in Philadelphia; fuel some higher—say $8 to

$10 a cord for wood. You could support a wife and three young children here on $1,200 a year comfortably—in fact, could enjoy twice the comforts (taking into account our incomparable climate), that you can in Philadelphia on the same money.

Another correspondent, a cabinet maker in a village in Wisconsin, says he is doing well where he is, but can't stand the climate. He wants advice as to the opportunities for engaging in that business here; also wants to know something about our lumber for building purposes, and woods for the manufacture of furniture. We answer briefly as follows: We never like to assume the responsibility of advising one who is "doing a good business" in any other part of the country to "pull up stakes" and come to California. Our object is to present facts, from which the reader must draw his own conclusions, and act wholly upon his own volition. During the last fifteen years San Jose has grown from a population, of 3,000 to 15,000, and is steadily increasing at the rate of about 2,000 a year. To accommodate such an increase of population, of course much work for carpenters is required. The regular price for carpenters' work is $4 per day. Our lumber we have spoken of elsewhere. Most of our furniture is imported from the East, in a partly finished condition, and put up here; although the manufacture of furniture from California woods is an industry that is rapidly growing in importance. Our laurel is more beautiful than mahogany for cabinet work, and for chair work there is no wood superior to our oak.

GENERAL OBSERVATIONS.

There are large numbers of people in all of the Atlantic States, in the Northern and Western especially,—persons of means many of them, and invalids, who have become tired and disgusted with their disagreeable winters as well as the most intolerable heat of their sultry midsummers. These people are looking about them for a more desirable country and climate. Many have tried Florida, and other States of the South, but without finding the blissful Aidenn that their souls long for. Until recently, California could be reached only by a long and dreaded sea voyage. The country seemed almost out of the world. But the overland railroad, with its trains of palace cars, has changed all that. A few days of luxurious hotel life on wheels, and the stranger is set down in San Francisco, a city of two hundred and fifty thousand inhabitants, where the best of hotel fare, and the cost of living, are cheaper than in any other large city on the continent.

People of means—with plethoric purses and healthy incomes—need not trouble themselves much about the business resources of any country that may have attraction enough for them to visit. If pleasure or health is their object, they do not bother themselves much with business affairs, and will naturally seek those countries that will afford them the largest measure of satisfaction. But all are not thus comfortably situated. Many who come here must needs engage in business pursuits. Others will come dependent solely upon their ready and willing hands to earn their daily bread. What are the opportunities and chances for these classes? how can they obtain a subsistence? are questions that most nearly concern them.

Of course, in moving to any new country the man of capital has large advantages over the one without. While California possesses large tracts of Government land, it is not always desirable for the stranger to locate thereon, remote from schools and the advantages of society, as they necessarily must be. The best portions of the State—the choice locations—are already occupied. Nevertheless, land in the most desirable places is reasonably cheap, and the opportunities for profitable industry and successful enterprise are as good, probably, as can be found anywhere. No able-bodied laboring man need be idle, unless so from choice. There is work enough for all, and more, too. The wages paid for good farm hands by the year is from $30 to $35 per month. Day laborers command $2 per day, and harvest hands from $2.50 to $3 per day, with board. These wages vary with circumstances.

Men fail here as everywhere else. There are always many idlers who are anxious not to find employment. They prefer to hang around the towns, frequenting the saloons and eking out a make-shift existence. But this is no argument against the country. We know that farming pays—that stock-raising, dairying and fruit culture yield good profits, when properly conducted. Manufacturing enterprises, of which as yet there are comparatively few, also pay reasonably well. There are many industries that the thoughtful, industrious and persevering man can engage in that would lead to competence; and fortunes are still by no means beyond the reach of those who keep their eyes open and possess the requisite money-making faculty. Fortunes have been made here in the rise in value of real estate; and in this matter opportunities are quite as good now as they ever have been.

After all, the acquisition of wealth is not the highest end and aim of existence. Health is of far greater worth. It is better to have little, in a country where one can enjoy that little—in a land of genial skies and mild, health-giving airs,—than much in a land of desolation.

The farmer of the Northern States toils hard during the summer months, and fills his barns, granaries and cellars with the product of his labor, to be consumed during the long, dreary winter that follows; and if he comes out a little more than even he considers himself in luck. Here there is no portion of the year that he cannot produce something, and with less hard labor than in any portion of the older States. If grain-growing is his object, here he can produce two crops and sometimes three from once seeding. His cattle will shift for themselves throughout the year; although upon small farms it is better to let them have the waste straw of the farm to run to during the few weeks intervening between the old feed and the new; or while the former, bleached by the fall rains, is deprived of much of its nutriment. It has been a common practice, in years past, for farmers to burn their straw to get it out of the way of the new crop. But many are becoming wiser in this matter of late. If he desires to engage in horticulture, hop-growing, silk culture, viniculture and the like, here in this beautiful vale of Santa Clara is the country, of all others, we would recommend to him.

MEAN TEMPERATURE.

The following table shows the mean temperature at San Jose for one year, which we regard as a fair average:

MONTH.	Deg. 6 A. M.	Deg. 12:30 P. M.	Deg. 6 P. M.
June,	52:40	77:03	60:40
July,	55:32	81:71	64:84
August,	53:16	83:74	64:87
September,	55:63	79:17	65:10
October,	46:48	74:68	63:06
November,	34:40	59:77	52:30
December,	36:61	53:68	45:26
January,	36:68	54:42	48:00
February,	38:93	58:32	48:61
March,	39:99	62:58	51:29
April,	50:37	69:23	54:00
May,	48:26	69:90	54:97

HOW TO COME.

With complete railroad communication between the Atlantic and Pacific coasts, it is hardly worth while to offer any suggestions on this subject. The traveler will find it greatly to his comfort, if he comes overland, to take a sleeping car, as he will be from five to six nights on the road. Good meals can be had at all the railroad stations, which will cost him a dollar each, until he crosses the Sierras, when from 75 cents to 50 cents are ruling rates. Coming with a family, he will find it economical to provide himself with a well filled lunch basket.

8

PHILOSOPHER PICKETT'S

ANTI-PLUNDERCRAT

PAMPHLET.

DEDICATED TO THE PARTIALLY DISENTHRALLED PEOPLE OF CALIFORNIA.

That country only is well governed whose Philosophers are its rulers or whose rulers philosophise.—*Plato.*

Price, Fifty Cents.

SAN FRANCISCO, JUNE, 1879.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

INTRODUCTION.

The Constitutional election is over. That popular verdict has been rendered aright. The question arises—what has been gained thereby? A new State chart has been substituted for the old; one piece of paper in the place of another. Is this to be all? If the old one failed to guard the rights of the masses, in consequence of its wilful and unwilful perversion by those entrusted with its interpretation and enforcement, will not the new be equally ignored or perverted should the same description of men be chosen to occupy our public stations? It will. Hence, the election in September is of more practical importance than that transpiring the 7th of May. At the latter the people selected but a piece of *machinery*. In September they have to select competent *machinists* and *engineers* to put that machinery in working order, and run it on the track of truth. If they fail to make such proper selections, then will they become co-responsible with the opposing party, should anarchy and a sanguinary conclusion result. This latter alternative is imminent. To it we are rapidly drifting. Antidotes to avert such direful danger must speedily be administered. As yet the selfishly blinded plunderocracy talk only of physical force repression, in the event their lavish outlaying of money, to corrupt the ballot, shall fail them. Their defeat the 7th of May will but inspire them to still greater exertions to prevent the election of good men in September. New and desperate devices will be resorted to to achieve a victory then and create a reactionary tide in their favor. Should their candidates be defeated they will next, as heretofore, bring the power of their ill-gotten gold to corrupt the representatives chosen. Should they fail in this, then will they, co-operating with the plundercrats East, use every exertion to elect a President subservient to their purposes, who, of necessity, will, like the Czar of Russia, declare martial law and raise great armies and a vast police force to put down opposition to the *bourgeoisie* oligarchy. The recent veto by President Hayes, at the ordering of the plunderocracy and Republican malignants

East, of the bill repealing the army election police, is a portion of the programme paving the way for the contemplated military government.

The night I delivered my discourse in Metropolitan Temple, a big burly "capitalist," as I took him to be, remained, after the others had departed, to say, in a menacing tone and manner to me, that such sentiments as I had uttered would not much longer be tolerated; that if not otherwise suppressed, martial law would be proclaimed.

In truth, the outlook for the successful application of peaceful remedies is not encouraging. The wealthy *bourgeoisie* will refuse to abate their predacious practices or permit, if possible, the curtailment of their oppressive power.

The rapidly increasing impoverished and defrauded many grow daily more embittered, and will listen little to arguments favoring a joint control of the Government, but seek absolute supremacy for themselves; the more encouraged and incited to this by reason of having their resentments inflamed by the sneers and taunts and insulting epithets applied to them by these moneycrats and their minions. Instead of holding out the olive branch of peace, and agreeing, in good faith, to abide the decision of the Grand Comitia on the 7th of May, they have determined to still pursue their "bulldosing" programme of discharging employees, getting up a business panic, depressing all values, and increasing the money scarcity, in hopes of yet compelling the masses to succumb to them, and keep in ascendancy their robber rule.

At the same time, amid these contending factions, portentous antagonisms and bad-blooded disputations of classes, our leading politicians, all over the Republic, are too unknowing or too timid (selfishly fearing the loss of popularity) to come forward and assist in proposing and establishing a sound reconstructed governmental plan, and measures of reconciliation and permanent adjustment.

These bat-blinded Bourbons and selfish office-seekers, apparently ignorant of the fact that we are entering a new and startling revolutionary era, in America, pregnant with mighty events, which find no parallel in our history, are consoling themselves with the belief, and so expressing it, that this new upheaval is but spasmodic and destined to be of ephemeral duration. Poor drivilling fools! None of them appear to apprehend the vast significance of the momentous contest we have already entered upon in California, which contest is destined to early extend over the entire continent, the first pitched battle in which, after a few preliminary skirmishes, being fought the 7th of May; a day destined to be memorable in American annals long ages hence; a day which will enthuse millions of the enwronged, and terrorise their wrongers throughout all Christendom, so soon as men find out the great, the living, the fundamental issues at stake on that epochal Wednesday.

In my discourse I cite from sacred and profane history parallel examples to prove on which side the ultimate victory will lie—on which the God of Hosts as well as the heaviest battalions will be found.

The arrogant and offensive expressions of the plundercrats and their organs since their recent repulse, indicate that other and fiercer struggles must be had before their Waterloo defeat shall have been reached. Immediately succeeding the election, they defiantly threw down the gage of battle to recontest the issue in September. We are prepared to meet them. It is to be presumed that no one who voted for the New Constitution will so stultify himself as to vote for a candidate who opposed it.

As stated in my discourse, the old parties are utterly broken to pieces in this State, and that voters were then taking such sides as would determine their future action. Of course, some thousands of the riff-raff negatives and cowardly selfish, will gravitate now to the victorious party. Whatever shams and subterfuges may be put forth by the Democratic and Republican party leaders (all being in the service and pay of the plundercrats) their forces will be, *sub rosa*, united at the ides of September to steal a victory and undo, as far as possible, the popular decreement of the 7th of May, should they then succeed. Every candidate nominated and arranged to receive their joint vote, by such secret coalition, whether entitled Democrat, Republican, Non-Partisan or otherwise, will, of necessity, be a sworn servitor of the plunderocracy.

This new enranking of the various plundercratic cohorts, will, necessitate a closer reunion and consolidation of the opposing forces. (See Appendix B.)

Merchant Coleman's sneering allusion to the "Unthinking Majority" was the truth ; otherwise, would such majority not, these many years, have suffered themselves to be suicidally hoodwinked and used by Coleman and his kind.

But such majority are beginning to think. Their vote the 7th of May attests this. Let them give further evidence of such awakened mentality by perusing, attentively, the matter in these pages, and acting in accordance with its suggestion. It is voiced by one who, all during the thirty years supremacy of the plunderocracy in California, has, unceasingly, combatted their wicked system and still more wicked instruments.

My discourse was prepared less for effect in the recent campaign than the existing and future ones. In truth, it is an exegesis or unfolding of legal axioms and economic principles, interspersed with allegations of important facts and expositions of personal characters and antecedents to illustrate my general theme and better inform my fellow-citizens as to their rights and duty.

The vote at the late election demonstrates the existence of three great classes or social components in California.

1st. The *Bourgeoisie*, which includes the bankers, merchants, stock operators, land speculators, franchised incorporators, and other "business" or monied element, together with their adherents. These all opposed the New Constitution—and for three principal reasons—that if adopted, together with the accordant legislation of its supporters, it would stop their stealing, compel the disgorgement of much of their plunder in hand, and send hundreds of their leading men into self-banishment or quarters in the State Prison.

2d. The *Proletariat* or common laboring element of the cities, including the various mechanical guilds, etc. These were nearly all at heart, in favor of the New Constitution, but many coerced, by employers, to vote against it, else refrain from voting.

3d. The Agricultural, which, mostly, sanctioned the New Constitution.

The interests of the two latter are largely identified, and being equally oppressed and depredated upon by the first, they "pooled their issues" and won a victory. The difficulty, in the future, will be to keep these in harmonious relations. Should either attempt to dictate the policy or selection of candidates of a joint ruling party, there will be divergence between them. To encourage this jealousy and antagonism, is now the endeavor of the *bourgeoisie.*

"Divide and conquer," is their determined policy. In this they will succeed should not a lofty spirit of self-abnegation, and wise and patriotic appreciation animate and enlighten the leading man entrusted with the all important responsibility of selecting candidates for office.

In my discourse I have portrayed the order of men to select, and how to know them. If such candidates be not sought and selected on their merit alone, then will the New Constitution advocates speedily disintegrate instend of crystallising into a powerful, permanent and dominant party. Then will be consummated the ardently hoped for result indicated in a leading *bourgeoisie* journal of this city (the *Bulletin*), which reads : "It is exceedingly problematical whether it (the New Party) can stand the disintegrating effects of an eager scramble for the offices. As soon as it comes to a division of the expected spoils, centrifugal forces will come into play."

But I cannot believe that this great uprising of the people of California will tolerate such a result.

The *Bulletin* and all of *its* party are influenced alone by such sordid, selfish and dishonest motives. Their unparalleled lying and other foul appliances resorted to, in the late campaign to obtain a victory; and the same tactics determined on, for the future, stamp them with such characteristics.

If however, the party of reform are still too blind to perceive whom to choose for office, then let there be still further upheavings and convulsions; let anarchy, for a season, have sway and blood oblations drench the land, since in such purifying and enlightening eras as try the souls of the affrighted and mad-passioned multitude will the master minds be known.

In the discourse, I have cautioned our party against that class of tide-waiting demagogues, who watch the ebbing and flowing of the popular current to jump in, at the propitious turn, in order to be wafted into some official position, to feed on pap and plunder in pastures new. Some specimen names of this class, who have recently pushed themselves forward, are given, and more such will be exposed if put forward for official stations, or officiously intruding themselves in the front. *Every candidate must have a cleanly record.*

It is equally important to guard against the treachery and untrustworthiness of those newspapers, which, after battling for years, as obedient mouth-pieces of the plunderocracy, *apparently* abandon the service of their old masters, at the eleventh hour, to become loud-mouthed "reformers." A notorious strumpet may honestly reform her ways, and preach chastity to her sex; but society will not permit her to be enranked on equality, much less become a leader among the always virtuous, and be entrusted with the instruction, care and guidance of unsophisticated girls. Additional to the taint attaching to her, she may backslide, and carry some of those girls with her; and so it is with these newly reformed political and journalistic bawds. Beware of them!

This pamphlet is necessarily placed on sale, the expenses attending the delivery of the discourse and its publication having run me in debt some hundreds of dollars.

I have given away nearly all my writings; have expended thousands of dollars in printing newspapers, pamphlets, and circulars, additional to the vast amount of gratis contributions to many journals. After losing through lavish expending, and inattention to private affairs, to devote myself to public ones, a once ample fortune, honorably acquired, and being swindled out of another by the plundercrats, through the instrumentality of their venal agents, the judiciary, the same spirit which prompted Marat to pawn the sheets from his bed, to pay for continuing the publication of his paper, impelled me, on more than one occasion, to pawn a portion of my scanty wardrobe to raise the money to print my free distributed pamphlets, advocating the same ideas, principles and purposes enunciated in this.

Now, that the people of California, after their lengthy servile acquiesence, are revolting against the misrule of the plundercrats, and better hearkening to the promulgators of such sentiments, I intend, if sufficiently assisted, to republish some of those writings, as a guide to their future actions. Some extracts from two of my pamphlets are inserted in this.

In conclusion, permit me to express my joy at the auspicious dawning of a better day, albeit years, yet, of expiatory suffering and purifying troublous times must ensue, as bounden effects of the long period of scourging misrule, which has afflicted the land. All during this period have I battled against such wrong-doing, greatly jeopardizing my life thereby, (preserved by my ever attending and guarding good spirit), accepted, for years, poverty, bodily deprivations and private station, in place of fortune, ease and high preferment, which could have been mine, had I chosen to abjure my faith, compromise my honor, and give adhesion to the reigning regime.

For long long years did I endure much agony of spirit at witnessing so much of wrong and untruth, and the apathy of my fellow citizens in permitting, nay, worse, nearly all participating in it. But through these encompassing dangers and sore heart tribulations I have safely passed the fiery ordeal of temptations few mortals have been subjected to. Though ofttimes made grievously soul sick at the deferred hope of a reawakening of my countrymen to more patriotic and virtuous thoughts and deeds, I have never despaired of this awakening, because a full believer in the rising and the reigning again of imperishable TRUTH, however much and long crushed down. I have ever had faith in GOD—in the justice of HEAVEN—in the ultimate triumph of RIGHT.

The pamphlet has been rendered more voluminous than it otherwise would, for the reason that there is not a paper in San Francisco, nor, perhaps, in all California, in the columns of which can be published an able and impartial article on public affairs, especially, if emanating from my pen; hence, such matter must appear through pamphlet medium or not at all.

I have, likewise, made more, seemingly, egotistical allusions to myself, for the same reason, than I would otherwise have done. I have only uttered the truth thereabout, and but a small portion of such truth at that; whilst these cowardly, corrupt and defamatory newspapers have only had language of detraction, or gibberish ridicule to employ towards me. I pray that none of them will, in future, cast any reflection upon my character by praising me. Their years of slanderous outgivings regarding me has never troubled me except to grieve that such has so greatly forestalled my influence by preventing my countrymen more heeding the many wisdom lessons I have always taught them. Instead of permitting the logic of their intellects to judge the merits of my productions, they accepted the *ipse dixit* of these mercenary sheets, that such being the emanations of an impracticable eccentric or semi-insane person no regard should be paid to them.

I await to see how many of these journals will speak aright respecting the contents of these pages; and I hope that everybody having the good of society at heart, who may peruse them, will, also, observe the same.

A DISCOURSE

ON

LAW, JUDGES, LAWYERS, Et al.

THE PEOPLE versus THE PLUNDERCRATS.

Impending Downfall of the Bourgeoisie Power.

KEARNEYISM ANALYSED.

[Delivered in Metropolitan Temple, San Francisco, April 28th, 1879.]

I have captioned my discourse, in legal style, as suitable to the subject-matter. The *et al.* affords me a wide range to discuss men and things. I avail myself of the privilege.

Plunderocracy is a term of my own coinage, and frequently used in my writings of late years. It is compounded of an English and a Greek word, signifying the rule of plunderers. California, from its organization, has been absolutely under their control. This hellish and impoverishing power is about to be overthrown.

In opening my discourse, I present a brief outline of the general indictment against them. I arraign, as a self-constituted Prosecuting Attorney, these great criminals at the bar of PUBLIC OPINION.

The Plundercrats have poisoned the fountains of Justice—have prostituted, to subserve their nefarious purposes, our high and low officials, and spread doubt, disaffection and distress throughout the entire State. They have destroyed public confidence, and brought blight and mildew upon a land blessed with an unequaled climate and unsurpassed natural resources. They have aggregated, and are aggregating, through the medium of perverted law and corrupt public officials, the wealth produced by the many, into the possession of the non-producing few. They have undermined the foundations of the social system, and endangered the existence of our governmental structure. They have trampled truth beneath their feet, denounced every virtuous person in the community, ignored God and set up the "golden calf" for their sole worship as well as ours. Judging all others by themselves, they have declared there is no virtue in any—that every one has his price, and thus inculcated a deep and all-pervading, demoralized sentiment throughout society, which has induced thousands, who would otherwise have remained uncontaminated, to barter principle for place and pelf, or forfeit their honor, otherwise. Rather than abate any of their evil practices, or surrender any portion of their usurped power and accumulated plunder, they have resolved, in concertment with their bandit brethren East, to plunge the country into anarchy to maintain such usurpation through the establishment of a military despotism. To this end they are centering upon General Grant as the most available candidate and reliable chieftain for President; designing that he shall, if elected, re-enact the *role* of Cæsar Augustus, in artfully veiling his actions beneath the forms of the Republic, yet exercising imperatorial power.

To still further parallel the Roman prototypes, we have Grant, already, re-enacting the role of Julius Cæsar in "thrice refusing the Crown"—that is, declining to become a Presidential Candidate.

Law, in the phraseology of Blackstone, is defined to be—"A rule of civil conduct prescribed by the supreme power in a State, commanding what is right and prohibiting what is wrong." This signifies constitutional and statutory enactments, which are never made perfect in any land, and fall far short of being so in America, of late years.

Our laws, however, are greatly better than their administration; especially here in California, where a derelict judiciary have perverted their meaning, in order to construe them in favor of that *spider* portion of society, who weave their legal webs to entangle victims and suck away their substance. In truth, this gross perversion of law in our State, from its foundation (against which I have always fiercely battled,) has rendered justice a mockery, and made the name of judge and lawyer a synonym for knave.

Law is the loftiest of all the sciences, since it is the guardian of man's rights, the conservator of his morals, and prescriber of his civil duties. Yet, how few professional lawyers in our land, these latter days, appear to realize such high significance, else would they better study and more rely upon the great elementary principles and ethical inculcations of this science—upon which all justice is founded—instead of resorting to petty quibblings about defects in each other's pleadings, to squabblings as to the meaning of words and phrases in the statutes, and trickery and claptrap to circumvent each other in court proceedings. But such practice will prevail as long as this class of lawyers, or, more properly speaking, attorneys, shall be elevated to judicial stations, who license and encourage such pettifogging perversion of genuine law. Such never rise above mouthings about the Practice Act or verbal tweedledums and tweedledees, and are incapable of comprehending arguments deduced from the spirit of laws, which is the essence of justice.

Law, in its elementary signification, is the perfection of reason, or unadulterated common-sense. It is synonymous with TRUTH, RIGHT, JUSTICE.

It may, also, be defined as LOGIC. Hence, the logical mind will, always, arrive at just conclusions and expound the law as it should be. And he has the best judicial intellect who, gifted with good perception and love of truth, shall strive to render justice between man and man. This, one may be, and has often proved to be, who never perused a law book page.

All just statutory law is evolved from and based upon natural law. Therefore, whatever is right is law; law in the abstract, which should be made consonant in the concrete—that is, law in its true and righteous signification. But law as dispensed in California, has, in the main, been divorced from justice.

The philosophical and analytical intellect is enabled, through intuitive perception and by direct logical deductions, to arrive at correct conclusions, even if deficient in knowledge of the letter of the laws and Court rules and routine. The book teachings and forensic practice of the professional lawyer—undigested and indiscriminated—lead many of our judges further away from just judgments than if they had not read a line of such law.

The fact is, the larger portion of our practicing attorneys are wholly unfitted, by nature, to become lawyers. The bent of their genius lies in other directions. Whilst, unfortunately, the most of our so called leading lawyers, those who have acknowledged ability in their profession, have long been the unscrupulous employees of our plundercratic masters, exerting all their ingenuity, native talent, wicked wit and knowledge of the letter of the law, to secure unjust decisions in favor of such employers. These prominent members of the San Francisco Bar have been a terrible curse to the country. Courting their less talented brothers on the Bench, in order to gain favor in open Court, and secure private conferences with them, the better to bamboozle, or, failing this, to bribe them into giving judgment in favor of their thieving clients, the larger portion of the wrongdoing this State has groaned beneath, can justly be laid at their doors. Several such have acquired the infamous *soubriquet* of "Supreme Court Brokers."

I have long believed that a portion of our Supreme Court Justices should be laymen or non-professional lawyers.

The people of California, possibly, would have selected two or three, of the soon to be elected seven new Justices of this tribunal, from the laymen ranks, but for the legal gentlemen in the Constitutional Convention inserting a clause declaring all ineligible to such position unless professional attorneys admitted to practice in the Supreme Court. This rigid rule will even exclude, from candidacy, some talented attorneys.

I do not argue against a thorough book acquaintance of the law. The conscientious and naturally legal mind is all the wiser from such acquisition; but this book knowledge has been so prostituted in California, that I often think that if there had been no law books here, none, at least, accessible to the majority of our judges, especially those of the Supreme Court, we would have been blessed with more justice. For it appears that the most of their labored researches, in rummaging among the musty tomes of the law libraries, to hunt up "precedents" and "authorities" and "analogies," have been to discover pleas for deciding unjustly instead of justly, to bolster their predetermined inequitable decisions; and these, unhappily, I repeat, are the ones oftenest rendered by the major portion of them; in fact by a majority of judges throughout the land, since we came under the absolute dominion of the plunderocracy, whose creatures these judges are, and who adduce all the nice points of the law, all the doubtful, false or unapplicable precedents and authorities, and quote the same, along with a wordy outflow of jesuitical, double-dealing and dust-hiding jargon of their own, in order to mystify and misconstrue the statutes or papers of the parties litigant, to favor the speculator and monopolist. When it is a rich man or corporation, *versus* a poor man, the latter, almost, invariably, goes to the wall in these latter day American Courts.

For forty years and over, have nearly all laws in the United States, been made and administered—through lawyer instrumentality—to discriminate in favor of the trafficing, speculating and monopolizing non-producer, and against the producer.

The recently drafted Constitution, soon to be voted on by the people, will, undoubtedly, be adopted by a large majority. It is a good instrument, as compared with the generality of American State Constitutions—in fact, a great improvement upon them all. Of course there are defects in it, but I would have voted for it had it been far more defective than it is, if, for no other reason than to sweep from office, the justices of the Supreme Court, its legal and illegal ones, its drunken and its sober ones;

and the hold-over senators—base and perjured servitors of the plunderocracy.

The New Constitution is pronounced by the plundercratic organs and other supporters of theirs, to be radically defective in every particular, a communistic and revolutionary instrument. But how comes it, that with only fifty of the one-hundred and fifty-two delegates to the convention belonging to the Workingmen Party, (who, alone, are termed communists, and also characterised as asses), were enabled to dictate to, and out-vote the one hundred and two "conservative and talented" delegates, sent there by the other parties? And how comes it that numbers of these latter, who were well pleased with their labors, and appended their signatures to the instrument, are now found opposing its adoption?

Of what efficacy, however, are the best of Constitutions unless the right sort of men shall be selected to make, construe, and execute the laws? The existing Constitution was good enough, perhaps, at least, for the first twenty years of the period it has served us; yet, of what little benefit has it been, as a palladium in defending the right and preventing the wrong; for the reason, that the larger portion of our law-makers and dispensers, from its adoption, have proved faithless to its provisions. This has been, especially true of that potent and polluted tribunal, the Supreme Court. It is highly proper to have Governors and Legislators, good men and true; but as these judges, of last resort, can undo or render null the good work of the law-making department, the welfare of all are at their mercy. Of what avail, I reiterate, the best of Constitutions and statute laws if an enlightened, conscientious, and firm judiciary, shall not be chosen to interpret them? Great Britain has no written Constitution, yet mark the impartial administration of law in that realm. This arises from the fact that they there select for judicial stations, men of high moral worth and sound judgment, many of them not professional lawyers. A good thing in the New Constitution—additional to certain checks placed upon the judges in it, is in the supervising and restraining power lodged in the Legislature over the Supreme Court.

A great evil in our land lies in electing too many professional lawyers to the Federal and State Legislatures, and in placing none but practising attorneys on the higher Court benches, entangled as are the most of these in California, in that debasing American practice of champerty, which should render such as are guilty of it, ineligible to these latter stations. Champerty in England is declared, by law, a penal offense and disbars a barrister. It should be so in our country, and it is a great defect in the new, as well as old Constitution, that it is not declared a felony, but it may be so declared by legislation. The law ought, likewise, to better regulate attorney's fees. Clients are too much at the mercy of extortionate counsel. Should an exhorbitant fee be demanded and refused, what chance has a client in a suit brought for its recovery; since it is a rule among the fraternity to swear, as experts, in favor of the attorney's bill. In truth, nearly all will, as readily and unscrupulously thus uphold a brother limb of the law as a San Francisco policeman will perjure himself to screen or extricate from some rascality, one of his number. But more, at another time, about these latter lying myrmidons of the plunderocracy.

The chief power—legitimate and usurped—of our State government, lies in the Supreme Court; and its influence, direct and indirect, is wielded for good or evil over every other department and down to the lowest public official. The wide-spread corruption and malfeasance in such other departments, especially in the grossly criminal conduct of so many San Francisco officials, is largely attributable to the example set by the majority of Justices who have disgraced this high seat in California. That deep depravity—that all-pervading laxity of morals and prevalence of crime among the masses in our State, is, likewise, largely owing to this dishonored tribunal—since

> "Thieves for their robbery have authority,
> When judges steal, themselves." SHAKESPEARE.

Instead of being a terror to evil-doers, these men of high authority have encouraged them to proceed with impunity, in their career of crime. True, they will often punish little rogues with much severity, but always throw the protecting folds of their soiled ermine around the big ones.

A majority of the first Bench of Supreme Justices in this State (Bennett and Lyon), were proof against the bribes and other appliances brought to bear to induce them to decide unjustly ; but when these left that Bench in 1852, the next was *packed* with three obedient servitors of the Plunderocracy; and from that day to the present, such stenchy tribunal has always had a majority, and several times (as now) a full Bench corruptly acquiescent to the behests of the Plunderocracy.

The first Chief Justice was S. C. Hastings, founder of the Hastings Law College—as corrupt a judge as ever sat upon a Bench. He then and there laid the foundation of his colossal fortune, by selling his decisions right and left. Finding out how his honorable Associates were going to decide, he made merchandise of such knowledge by contracting with the winning suitors, to receive so much money for a favorable decision. And this notorious Plundercrat has been one of the "Brokers" for that Bench ever since.

Not alone are property rights insecure, being constantly invaded by badly framed and worsely construed and executed laws in California, but personal rights, the liberty of the individual and his political and other privileges have, in numerous instances, been grossly violated by judicial and executive officers. Neither established usages, the common law nor express statutory provisions have been any shield against such abuses, practiced by unfaithful officials, under the forms of law or asserted official authority, who have obeyed the behests of the plundercrats instead of the true mandates of the law and just monitions of their conscience.

Had the people of California elevated me to a seat on the Supreme Court Bench some years ago, although not educated in the legal profession, they would have been better satisfied with my decisions than the most of the regular profession placed thereon. Unlearned in those technical quibbles and specious sophisms, so much resorted to by the larger portion of the judiciary and lawyer-fraternity, to crush down the right and uphold the wrong, and ever adoring truth and justice, I would have sought to give practical illustration, in my official rulings, of the old English apothegm, that—"An upright Judge is a poor man's counsel." Alas! how few judges in most portions of this confederation of sovereign States, have won for themselves, of late years, such a proud distinction. With constant proclivity to decide in favor of grasping corporations, land monopolists, franchise grabbers, bankers, merchants and other robbers of the productive gains of society, these judges are ever seeking some book authority that they may, through strained or perverted construction of the mere letter of the law, justify their wrong renditions in favor of such depredators.

Among the illustrious jurists I would have taken for my model, is Chief Justice Marshall. Though not so learned in the law as he was, I should have followed his example in first finding out which party had the equity in such cases as may have come before me, and then hunting up or getting my colleagues, who agreed with me, to hunt up the law to sustain that side, which law can always be found. I should, likewise, have further followed the example of this wise and pure expounder of the law, by refusing to remand a case, on motion of any technical-mongering, hair-splitting and flaw-detecting attorney, because of some laches in the pleadings, defects of record, verbal inaccuracies or non-conformity to Court rules and regulations where no party could be injured, by then and there correcting such defects.

What vast injury, to many suitors, results from the contrary action of so many of our judges, whose wilful intent to wrong the party in the right, or actuated by that narrow pettifogging order of intellect, possessed by so many on the Bench, impel them to adhere to the strict letter of its law which killeth, and lose sight of the saving grace of its spirit.

I never filled but one official station, and that a judicial. In 1845 the Legislature of the "Provisional Government of Oregon," against my earnest protestation, elected me a District Judge of that outside and disputed Territory. I told them I was unqualified for the position, having never read a page of law. and moreover, would depart for California in a few months. But they said I was better fitted for a Judge than any of the few attorneys there. I presume they thought from the reputation I had established, in a two years residence among them, that I was a sort of natural born lawyer, and that judicial acumen grew in me like grains in wood. Consequently they took me from my log cabin, in the junction of the Clackamus and Willamette, where I lived alone, cultivating a few acres of grain, cabbage and potatoes, making shingles and catching salmon, to seat me on the figurative woolsack.

For thirty years the judges of California have, as a rule, strained the law to construe it in favor of the wrong. I should, as a judge, have strained it, somewhat, to maintain the right. Additional to the many misrulings of these recreant judges, mark their long delayed decisions, which was usually done to subserve the swindling purposes of monopolists, speculators and other law-shielded robbers.

The attorneys of this State, as well as the general public, believe these allegations to be true. Such attorneys well know that less their knowledge of the law, than other considerations, induces suitors to employ them. The stereotyped question of the most of such suitors, in important cases, when seeking counsel, has been—"How do you stand with the judge?" And the effort to stand well with their honors has rendered the Bar of California, especially here in San Francisco, the most servile and sycophantic in Christendom. However rank the offenses of these judges, however corrupt or incapable they may be, you will not hear of an attorney daring to brave their displeasure by criticising their conduct, much less, as is their duty, taking steps to bring them to trial and to judgment for their many offenses. Numbers of these attorneys have whispered in my ears—enjoining me not to mention their names—that they fully coincided with me as to the dishonesty or the incapacity of certain judges, especially that polluted pentarchy of the Supreme Bench. They have said to me that the whole of the present Court ought to be impeached for that one offence alone: the collusion and conspiracy which placed Wallace in the seat of the Chief Justice six years in advance of his legal turn, and has kept Crockett and Niles upon the bench after their legal terms had expired. But, said they to me, had any of us sought to arraign them on impeachment, or moved in Court to inquire into such usurpation, or even spoken loudly against them, in private, their vengeance would have been visited upon us as it has been upon you. They would have marred our cases before them, or hurt us in other courts. Our clients would have left us, and others been deterred from employing us.

Thus has a Jeffreys-like terrorum been exercised over the State by these notoriously corrupt and tyrannical instruments of a worse than kingly despot—the Money Monarchs of America.

Not in this discourse can I unfold the horrible persecutions I was subjected to, for eight months and a half, in the filthy bastile of San Francisco, for daring to take a step (the only one in my power) to arraign the traitorous conspirators sitting upon and defiling that tribunal, for their *own* gross contempt of the dignity, authority and majesty of the people. I did what I deemed a lofty duty. A duty which had no money valuation, since a million dollars would not have induced me to undergo such cruel torture. Any day I could have been released from it had I consented to utter but three words—to say to my imprisoners—*I did wrong.* I endured such torture for the sake of principle, and because my body only was imprisoned—my spirit was free and my conscience clear.

This cringing servility of the Bar which has estopped every member of it from denouncing the numerous blunders and criminal acts of these Supreme Justices, especially, the high-handed usurpation mentioned, and the severe vindictive and lawless punishment of myself for daring to better expose the same and striving to indirectly bring *them* to trial and to punishment, is, of itself, evidence of their guilt. In further attestation of such revengeful malice and guilt, permit me to relate two interesting incidents.

1. One of my attorneys in a suit for a large realty, in this city, pledged me to cease my strictures on the Supreme Court Justices after I had taken the suit, on appeal to them, as he

said it would ensure my defeat. I did then cease, but another writer continued to severely assail them through the papers, whose articles were, by the Court and by my counsel, imputed to my pen. Their decision was against me, when my attorney berated me in a passionate and insulting manner for violating my pledge to him, which he alleged had lost us the suit. I responded, that such a reflection upon their honors was as bad, or worse, than anything I had written about them. This shows the estimate in which they are held by their brother lawyers. I must, however, remark that prejudiced and revengeful as are these judicial rascals, they did not decide said suit against me on that ground. Property, in the city, to the value of several millions of dollars, mostly held adversely by the plundercrats, was involved in the issue, and heavy *douceurs* in the way of grand cash induced those venal judges to violate law, equity, and evidence, and decide as they did. This will all be proven when a new and unstocked deal of cards shall be had.

2. After I had been sent to prison for seating myself in the chair of bogus justice Crockett, on the 6th of August, 1874, in which I but followed his example set the first of January previous—by squatting in that seat against the express letter of the Constitution and statutes, the uniform usage in the premises and without popular authority, or the expressed permission of the judges, rightfully there—this same bogus justice admitted (at least, his son said it for him), that the severe penalty the Court had inflicted on me, was not so much for that mad freak of mine, as he termed it, but that I and others having so frequently, wrongfully, and roughly assailed them through the public prints, they had determined, whenever they got the opportunity, to make us smart for the same.

Whilst adducing incidents to illustrate my theme, I will call attention to a case alluded to by Kearney, in his late Salinas city speech, in which he spoke of that notorious land thief and congressional, legislative, judicial and land officials briber—Jesse D. Carr. Carr agreed to deed an interest in his Gabilan grant to a lawyer to assist him in securing a patent for it. He won the case and got the patent but refused to pay the lawyer. The latter sued him when Carr swore in open court that his title was a forgery and had been secured through fraud. Upon this showing he defeated the lawyer, has kept the land and remains outside the walls of the penitentiary. And such is law in California.

Another incident, a new Bar Association has just been formed in San Francisco. A member objected to one of the signers of the call to organize it, because he was an ex-convict from the East. Now, it was not the unfortunate fellow's crime they cared about, but any lawyer who could not keep out of the penitentiary, was held to be too big a fool to associate with the fraternity. They could condone the crime but not forgive the discovery or punishment. And of such are California lawyers, in the main.

Daniel O'Connell said that a cunning lawyer could drive a coach and four through any Act of Parliament, with a conniving or accommodating judge upon the Bench. But we have constantly witnessed the steaming of great railroad trains through and over our constitution and statute laws, by reason of this accommodating or conniving character of the judges.

We want a widely different order of judges, from the most of those California has been cursed with, especially on that foully tainted tribunal, the Supreme Court. I believe that should the Constitution be adopted, enough able and conscientious lawyers can be found to fill that Bench. For instance, there is that distinguished scholar and lawyer and most honorable gentleman, General Volney E. Howard. How will he do for Chief Justice ?

And associated with him, those two able and impartial jurists, as proven by their records, Nathaniel Bennett and David S. Terry. With such men as these upon that long defiled tribunal, we shall have less JUGGLERY, JARGON and INJUSTICE, and more sound sense, pure law and justice.

One of the plundercratic organs of this city, the *Post*, contained, the other day, a pyramidal arrangement of the names of certain well-known citizens, mine among them, which were satirically termed, "Fossil Remains," and surmised, by the editor, to have belonged to the Silurian epoch, which remains purported to have been recently dug up in Tulare. So far as concerns myself, I admit that I have been, virtually, buried this quarter of a century, beneath the diluvial *debris* of fraud, robbery, corruption and every species of wrong with which these workers of iniquity have covered this lovely western land. Is it not time the people of California had exhumed such fossils, whether found in the Silurian or other of the Paleozoic ages, and restored them to their once influential positions?

The unprogressive condition of the minds of the most of our judges and lawyers has been exemplified by their adherence to certain old English common law ideas, as to land tenures, water privileges, mining rights and other obsolete, or to us, inapplicable legal constructions. That was a most palpably false decision made by the U. S. Supreme Court, which holds, that the precious metals, in Spanish grants, belong to the proprietors of such grants. This is contrary to equity, as well as to the laws of Spain and Mexico, from whence these land grants were derived. Thus old Feudalic and Bourbonic king-governed Spain discountenances this monopoly of such minerals, as well as water, which Republican America sanctions. The most conclusive arguments penned, some years ago, against such misconstruction of mining rights, were by two laymen or non-professional lawyers, George Gordon and myself. Gordon published an able pamphlet on the question, and I, some newspaper articles. This false decision was rendered regarding the famous Fremont Mariposa grant of ten square leagues. Among the other judicially indorsed rascalities of this grant, was to permit the location to be so altered from where it had been located and surveyed by the claimants, prior to the gold discovery, as to touch not one foot of the land included in the boundaries originally marked out. It was taken up bodily from the lowlands, and set down in the foot-hills of the Sierra, in order to cover a gold-bearing region. This decision was then so ordered by the great banking and speculating firm of Palmer, Cook &

Co., which, for several years, absolutely ruled all California, and wielded a powerful influence at Washington. Joe Palmer would have been appointed Secretary of the Treasury, provided, that compound of knave and fool, John C. Fremont, had been elected President of the U. S. in 1856.

The Federal Supreme Court—following a previously enunciated judgment by the Supreme Court of California—also, rendered a shamefully false decision in "Whitney *vs.* Frisbie," which proclaimed the doctrine that a pre-emptioner of the public domain acquired no right nor title to his land until receiving a patent therefor; and that Congress could, at any time, before the issuance of such patent, take his claim from him and give or sell it to another. And even, in some instances, a patent has not protected him, since Congress and the Courts have, subsequently, held that certain railroad bonus grants took precedence of such patents.

The fruits of this infamous and most damnable decision have been to drive from their homesteads, in various States and Territories, thousands of settlers—many such homesteads long lived upon and highly improved—and title to the same vested in railway incorporators and other favored monopolists. In fact, the primary tenure of our Public Lands has been misconstrued by both Congress and the Courts; and, per consequence, millions on millions of acres of this common mon estate of the people — of this *cestui que* property — have been swindled into the hands of speculating monopolists, through the assistance of such faithless trustees.

During several years I have been urging, in some of my pamphlets, and otherwise, that the settlers on the public lands should *arm* themselves and defend, by force, their homesteads against these legalised despoilers. In some isolated instances they have done so, but meeting with so little sympathy or active support from others of their fellow-citizens, they have been compelled to acquiesce in such spoliation. But the times, thank God! are ripening for a different result.

The settlers in the upper Tulare Valley have recently formed military companies to defend their homes against the rapacity of cormorant claimants of their land. Success of the Workingmen's Party will, ultimately, ensure them victory.

Let them stand to their guns, bide their time and vote the right ticket.

We want men sent to Congress and the Legislature and placed upon our high Court benches who will reverse all this wrong-doing and restore these stolen acres to such estate, to be properly parceled out and possessed.

This doctrine I have been proclaiming over twenty years, yet have been unheeded. But now that these lands of value have all been thus gobbled up by speculators, and homeless millions—defrauded of a due share in this heritage of all—are beginning to open their eyes to such fact, we may look for some speedy rectification of such great wrong.

Relevantly, I may mention here a just decision, of vast importance, recently rendered by the Hon. Philip Keyser, Judge of the 10th Judicial District. It was the granting of a perpetual injunction against the operation of certain hydraulic miners, the *debris* from whose mines have been washed down upon large areas of agricultural lands of the Sacramento valley and destroyed their fertility. Such decision was not alone demanded to guard from further injury the rights of individual owners of these lands, but the paramount interest of the entire community requires that such arable acres shall not be thus destroyed. Should no other remedy be devised to prevent this, then ought such mining to be prohibited. Protection of such soil is a duty of the State. We can do without gold and silver (fiat paper money may be substituted), but not without bread and meat.

Kearney's fierce and fearless assailment of the "Court House rings" and corrupt domination of large landed proprietors in the southern counties, prompts me to mention my efforts to expose the same during a trip made through, and a stay in those counties in the years 1868–9. I then sent several communications, as a regular correspondent, to the *Alta California*, and a few to the *Examiner*. Neither paper would publish what I stated about the corrupt practices of certain Supervisors and Assessors down that way. Remaining in Los Angeles near three months, I got full and exact information as to various offenses of these and other officials of that county, as well as of certain large landholders there. In one of my letters to the *Examiner* I cited the fact that, additional to their manufactu ing a Pueblo title and then stealing the land (as the same sort of rascals did the "Pueblo" of San Francisco), the owners of several large ranchos, in such vicinity, had been selling off small tracts to farmers at ten dollars per acre; that after this was done, along came the Assessor (a tool of these grant holders), who not only assessed such small holdings at what had been paid for them, but the improvements placed thereon, farming implements, working cattle and growing crops; and at the same time assessed the like quality of land, yet remaining in the hands of the grant holders, at one dollar per acre. I contended in that letter, as have often done before and since, that improved lands should be assessed at no higher rates than unimproved of the same quality, and that growing crops and farming implements should be exempt.

Among the excellent features of the newly drafted Constitution, growing crops are exempted, and all lands of equal natural fertility assessed alike. If any discrimination were made, a premium should be given the cultivator, by assessing his land at a less rate.

That letter to the *Examiner* was not published. On my return to San Francisco, I inquired of Mr. Geo. Pen Johnston, managing editor, whether he had received it? He had. Did he believe I had given any false information in it? He said, he doubted not I had related only the truth. Then why, I further queried, did you not print it? Because, replied he, Los Angeles is a good Democratic county, and I did not wish to assail our friends there.* And this is precisely what both Democratic and Republican party organs and politicians have always done, and are now doing—condoning, covering up or defending the worst rascality in their respective ranks. And yet a lot of fools, belonging to each, pretend to look for reforms in and from such parties.

Since its organization the protesting cry of the interior has been—that San Francisco selfishly and dishonestly ruled the State—that the toll-gatherers, middlemen, merchants and money lenders at the Golden Gate not alone extorted and monopolised all the profits of their labor, as well as evaded paying their just taxation, but corrupted their rural representatives in the legislature and other officials. These allegations are well founded. But, at length, the long beduped and manipulated voters of San Francisco, who were made the instruments to maintain this corrupt and corrupting dynasty, have revolted against it and called on the interior population to join them in rescuing the entire State from the throat-grasp of these robbers. Are they responding to this call ? Or, will they, serf-like, and ass-like, permit themselves to be bamboozled to a different action by their Court-house rings of office-holders, professional politicians, lawyers, merchants, and local newspapers, all of whom are in league with the great plunder rings of San Francisco and the State capital.*

---

* How about that Democratic county now?

The recent great shrinkage in the values of property, will, under the old Constitution and rule of the present order of officials, cause an increase in taxation; but let the new Constitution be adopted, which will ensure the election of a new character of officials, when taxation will be greatly reduced, because of the hundreds of millions more of property which will then be assessed that have hitherto escaped. The holders of this large amount of property—mostly belonging to San Francisco, are, of course, strenuously opposed to the new Constitution.

I will read to you, as apropos to my general subject, some extracts from a pamphlet published—"*Address to the California Legislature.*" It is dated Sacramento, March 1st, 1874. That, you may remember, was the "Dolly Varden" Legislature, the perhaps, honestest set of Assemblymen—that is, the major portion of them—we have had in California, but the greatest band of asses. We then sent from this city to the Assembly, four loud talking Dolly Varden Reformers ! who being, in fact, cunning, deep-scheming, mealy-mouthed and treacherous politicians and lawyers, soon got those Dolly Varden asses from the interior, harnessed up, when, taking the reins, they drove them to suit their purposes, throughout that session. These asses brayed, kicked, pulled, backed or stood still, just as those rascally drivers directed; and four grander scamps than they never crossed the threshold of that Assembly Chamber. Their names are, M. M. Estee, who was made Speaker, J. F. Cowdery, D. Freidenrich and John F. Swift. Estee and Swift had more brains but less principle than the others, provided anything like principle could be found among the quartette. Swift's record before and since that period, as a deep-scheming demagogue and money-making mountebank, bears the palm over most any such tide-floating bamboozlers of the inane populace that California has produced, prolific of such genus as this mongrel muck heap of humanity has been. Swift has often said to me that he despises the populace, and only uses them for his selfish ends. He thus used the voters of his district in 1877, to send him to the Legislature for the sole purpose of securing payment of his swindling $30,000 water suit fee against this city; and, also, to insiduously prevent the passage of any law that would deprive the Spring Valley Water Company of their swindling monopoly.

---

* Having strong belief that the interior would affirmatively respond I made several small bets upon the general result. I expected, however, a larger majority than was given.

In truth, all these trafficing politicians—especially those in the Democratic ranks—entertain intense hatred towards the common multitude. This arises from the fact that they, in order to curry favor and win popularity, demean themselves by doing and uttering so many things they believe to be undignified and false, that, mortified at having to stoop so low to conquer, they, by a natural revulsion, become enraged at such instruments of their selfish ambition for compelling them to thus act. This feeling is further attested by the quickness with which those elected to office violate their pledges and spurn the ladder on which they climbed to eminence. And we now witness still further evidence of the same in the bitter denunciations daily hurled by nearly all the old Democratic politicians in the city, and perhaps in other portions of the State, against the rank and file, and their newly chosen leaders, of such faith, because they will no longer be led by such renegade pretenders, and refuse to again put them in office.

This same political somersaulter and tide-waiter Swift, as well as other notorious tricksters of the two old parties of the Bob Ferral and M. M. Estee stripe, are now resorting to all sorts of insidious secret manœuvers and open demagogic arts to ingratiate themselves with the new party in order to secure nominations to office, else humbug its leaders into supporting some rascally scheme of the plundercrats, in whose employ they are. Spring Valley Water Company Swift (he has all along been a secret agent of theirs though ostensibly opposing them) as yet keeps one foot on the piebald Republican steed, whilst little Bob, the Artful Dodger, has a foot on the wind-broken, stringhalted and spavined Democratic.

Swift and Pixley are *sub rosa* partners in various schemes of villainy. Both are in the pay and service of the Central Pacific Railroad Company, Spring Valley Water Company and other monopolies. Whilst Pixley runs his *Argonaut* in support of these corporations, and viciously denounces Kearney and the Workingmen's Party, Swift is privately and treacherously striving through artful blarney and humbuggery, to deceive Kearney and other leaders of such party, in order to exercise an evil influence over them and it, divert such party from the great reform movement it has marked out for its mission, and render it subservient to the purposes of the plundercrats.

I presented a petition that session for the impeachment of the judges of the Supreme Court, reciting in it certain high crimes and misdemeanors of which they were accused, but the four sham "reformers!" mentioned, supported by all the other lawyers in the Assembly, stopped its reading, raised a great hubbub in the Chamber over it, and ended by inducing Speaker Estee to violate my constitutionally guaranteed right of petition, as well as violate all parliamentary proceedings, in arbitrarily ruling it out of order and directing the document to be returned to the author.

It was from witnessing the Machiavellian scheming and lawless action in that Legislature of these four agents of the plunderocracy, and the artful and dishonest manipulations and jesuitical jugglery of lawyers in preceding ones and elsewhere, as well as my general reading, which prompted me to pen such a severe stricture upon that class, as will be found in the "Address." I make a more extended allusion to such Legislature for another reason—that it is often cited by those who still adhere to the Democratic and Republican organizations, as attesting the inutility of getting up any more new parties; and they prophecy that the Workingmen's Party, if successful this year, will prove as shortlived and abortive as that Dolly Varden. I have admitted it would—that is, under its existing organization, if any more such assinines and knaves as were wafted into that Legislature and other public places, on that quickly upsurging and subsiding wave of popular opinion, shall be chosen by the existing new party.

A great disadvantage the Workingmen Party labors under, is that nearly all its representative men (Kearney included) are so little acquainted with our leading and lesser politicians, lawyers, writers, etc., and so little posted in the general and special rascality practised, through many years, by these agents of the plunderocracy, and at the same time are as unacquainted with those who have always combated with such class. Hence, are liable to be imposed upon by the beguilings of these agents, and treacherous whisperings of those, in their own ranks, who are in the secret service and pay of the plundercrats. Both of these feed servitors are constantly laboring to popularise, with the sincere Workingmen leaders and their rank and file, certain pretended friends, but, at heart, traitorous scamps, in order to have them wield influence and secure nominations for office; at the same time insidiously defaming men of high moral worth and ability, who are heart and soul in sympathy with their cause, in order to prejudice such party and its leaders against them, and thus prevent their wielding any influence, or receiving nominations for office.

But Kearney and his Sand Lot surroundings are not alone thus ignorant of who is who in California. How few among this heterogeneous conglomeration of gold-seekers, so suddenly maelstromed into such beautiful virgin ravished demesne have proved themselves the wiser? Have not all alike unrecognized the wise and virtuous among them, and filled, with rare exceptions, their public posts with the unwise and unvirtuous? There is one class who have fully recognized both orders—the bad and the good. These are the leading plundercrats, who, seeking instruments to serve their villainous purposes, have tempted and tested every prominent man of intellect in the State. *They* know the venal, because they have bribed and used them; and they know whom they have failed to bribe and use.

Therefore, onward let this revolution roll. Good will come of it. The virtuous and the highly intellectual all favor it, because they perceive that through such, lies the only road to reformation. The fear, as said, entertained by many, that a greater amount of incompetency will be wafted into public places on this rising popular floodwave, may be well founded. History, which is ever repeating itself, teaches such fact. But these incompetents and unvirtuous cannot long maintain position and will give place to the wisest and the best. The country has long been under the rule of incompetents and knaves, of presumptuous and successful mediocrity. The time is approximating when its men of genius and heroic virtue will be placed at the helm of affairs. A storm is brewing, and when the tempest shall howl and dangerously toss the ship of state, this order of pilots and commanders will be called for. These can only be recognized and exalted by the, then, mad-passioned and affrighted multitude, through this upheaval of society.

Let Kearney and his party continue to agitate, since through agitation comes rectification. They are, I repeat, performing their allotted task. Let us give all due credit to them. But let me say this to Denis Kearney—that if he would, like Garibaldi—Italy's great commoner agitator—continue to wield influence, he must follow Garibaldi's example, by continuing to menace the foundations of the Government, unless the ablest and most virtuous men of the State are placed in position to effect the demanded reforms. And let him—waiving place himself, as he says he will—assist in selecting such, instead of the incompetents he has hitherto been supporting for public stations. He did not create the Workingmen's party, as the plundercrats declare, since it is not in the power of any man or set of men to create a party. This Kearney himself has often told them, which proves he has more brains than they. He must, however, soon rid himself of two orders of bad advisers—the ignoramus and treacherous comrades in his own class, and that small squad of shyster lawyers who, accidentally getting into prominence in his party, are much misleading him with their false counsel.

The portents on every hand presage an approximating social and political upheaval of a very menacing character throughout our American land. A vindicatory spirit is pervading the mass, who more and more fiercely demand that juster laws shall be enacted and more impartially administered, or wo to those who shall prevent such.

Hence, in event the new Constitution shall be adopted, there are four primarily important places to be filled with men of upright character, high intelligence and stern resolve—the Gubernatorial, Legislative, Railroad Commission and Supreme Judicial. Should the to be newly chosen Justices of this high Court be of that better type I have portrayed ; should they earnestly strive to estop that law-protected exploitation, by the preying portion of society (its cunning and all-grasping non-producers), of the wealth evolved by the great army of producers, then will be appeased this justly incensed and revolutionary threatening multitude. Then will they estop the growth of communistic ideas, and reconcile the conflicting interests of classes. It will give again supremacy to moral forces, which should, mainly, be relied on to preserve order and secure the enforcement of just laws.

But who are the Communists among us ? If Communism means dishonorably appropriating, through the forms of prostituted law, the property of others—of thus monopolizing the wealth of the country—then are these plundercrats, who have been ruling and robbing the State from its beginning, the real Communists. They allege that the Kearneyites, so-called, want to get into power to steal. *They* have already been stealing. The one may become rogues. The others are.

My countrymen, I desire to impress upon you this serious admonition, this most earnest injunction—that in selecting Supreme Judges, the Governor, Legislators and Railroad Commissioners, you have need to not alone secure ordinarily honest and sensible men, but brave men—men of heroic courage—men of lofty souls—men of high moral nerve—men who worship truth—men who cleave, through good and evil report, to principle—men who always place their cause in advance of self—men of clear and positive convictions—men who will dare and do—men who will perform their duty regardless of what may occur. Those of mere honesty and intelligence may be easily found, if earnestly sought, since we have numbers of them ; but men possessing those other traits, without which these latter are of little service in such positions, are extremely rare.

You ask me how such shall be discerned. My answer is, study well the antecedents of a suggested candidate. Find out whether any stigma sullies his escutcheon. Learn whether he has been much and often tried by great temptations and afflictions, and has withstood these trials. Such are the only safe criterions to judge by.

The horrible revelations of crime which will be made when the Workingmen's Party representatives shall be everywhere installed in office in the State—provided they be of the order described—will astound the world.

Thirty years villainy of unparalleled atrocity, will then be exposed, and, as far as possible, punished. To prevent this, every desperate expedient will be resorted to by the corrupt old politicians of the Democratic and Republican parties to keep one or the other in power, that the plundercratic dynasty, to which they hold leal allegiance, may be maintained. These politicians are now engaged issuing their lying, hypocritical and bamboozling pronunciamentos in order to stem the enrolling revolution. They and their plundercratic employers begin to perceive the terrorizing handwriting on the wall, and trembling with the cowardice of a guilty conscience, will, to their already innumerable crimes, add new ones to save themselves from loss of power and consequent exposure and punishment. Why should any voter in California, unless a participant in their crimes, a recipient of their booty and bounty, or an incorrigible fool, assist to uphold the longer this villainous and most ruinous power ?

I largely favor this new Constitution and its inevitable results, because its adoption will be a peaceable revolution ; whereas, its rejection, by keeping in power a portion of the existing rulers and their policy, would, inevitably, inaugurate a chaotic bloody revolution ere long.

If the present propitious period to emancipate themselves from the accursed thraldom of the Money Power and its minions and allies—the lawyers, preachers, journalists and professional politicians—be not availed of, I know not when or how such slavish people can be incited to legitimate peaceable action again. If so judicially blinded to their own interests, so demented and maddened, it must be that the gods have doomed them to destruction.

It is useless to talk about having more than two parties in California this year, or the next either. The great, the paramount, the all controling issue is between those who sustain the existing plundercratic dynasty and those seeking to overthrow it. Upon this line of demarcation let every one select his side.

These plundercratic villains failing to demoralize, dissever and break up the Workingmen's organization, by the unlawful, tyrannical and infamous measures hitherto resorted to by them, are now engaged in a new role of rascality to effect their diabolic purposes. Among these new devices is to hypocritically echo one of the tocsin cries of the Workingmen's Party—"The Chinese must go!" This is all a sham upon their part, and alone intended to divert voters from the vital issues of the campaign. They have, likewise, purchased several prominent members of the Workingmen's Party and will purchase more, in order to sow seeds of discord and breed doubt and disaffection in its ranks. They will strive to have men of bad records put up by it for office, that such records may be exposed, and the party thuswise injured and such candidates defeated. And they will inspire their hireling newspapers to defame other nominees, though such should be as wise and pure as Washington. To counteract the influence of this address and depopularise its author, these scoundrels will, doubtless, search my published writings (not daring to assail me otherwise) of the past third of a century, to find some speculative theory, or satirical or angered expression that may be warped to offend some in the party I have long labored to have organized, or prevent others from joining it.

Additional to their bribe money already expended in subsidizing newspapers, buying up saleable leaders or prominent speakers of the Workingmen's Party, and bamboozling money outlayed for rent of large halls, paying for music and advertisements of meetings held in them—called in the name of Democratic, Republican and "Central Club Workingmen's" organizations—these wealthy plundercrats are disbursing vast sums in sending out many other speakers, (several of them heavily feed lawyers) and flooding the State with innumerable lying documents opposed to the adoption of the New Constitution; whilst additional large sums will be used to corrupt public officers and purchase votes to secure a dishonest result through the ballot box, whether in the plebiscitum to be given on the Constitution or that, subsequently, cast for candidates.

It is most palpable that nearly all the false constructions, of many portions of the New Constitution, and bitter opposition to its adoption, on the part of the plundercrats and their pensioned servitors, arises not because of any fears of its hurtful operation, of itself, but that if adopted, the same decree will auspicate the triumph and future rule of the Workingmen's, or, some similar party, in California.

This, the real reason of their opposition, has been admitted by many of them. That once high-toned and excellent paper, but now miserable, degraded bawd—the San Francisco *Examiner*—which has sold its virtue and gone a-whoring with the Central Pacific Railroad Grandees and their confrere plundercrats—has publicly proclaimed this to be the paramount incentive for its opposing the New Constitution. The *Examiner*, as well as nearly all the leading politicians of California, belonging to the Democratic Party, or rather, the late Democratic Party here, have bartered their honor and their patriotism to the plundercrats, during the past several years, chiefly through the pandering instrumentality of that Railroad Company's political pimp or twin procurer-general—Doctor Wm. M. Gwin. He and W. W. Stow—*par nobile fratrum*—are Emperor Stanford's mediums for buying up every one venal whom that potentate may have dishonest use for. Stanford and the other plundercrats have subsidized, *douceured* or bribed about three-fourths of the newspapers of the State to oppose the New Constitution.

This vile instrument Stow, has disbursed for the Central Pacific Railroad Company, alone, during the past dozen years, to purchase governors, legislators, judges and other public functionaries ; to pay lobbyists, lawyers and subsidized newspapers, not less than three millions of dollars. The people's own money, extorted and stolen from them with which to bribe their public servants and pollute their laws ! And he is now financial manager of the "Literary Bureau" of the plundercrats in this city, disbursing the immense sum contributed by the bankers, merchants, stock gamblers, large land grabbers and others, to defeat the New Constitution.

Speaking of the *Examiner*, this paper is terribly exercised over two recent communications, of marked ability, emanating from Democratic pens ; the one signed "Orantes," which, its proprietors were compelled to admit in its own columns; the other signed "Woodchopper," which appeared in the Colusa *Sun*, the leading interior Democratic paper, and like the *Examiner*, bought up by the plundercrats to oppose the New Constitution.

These correspondents tore the mask from the face of this lying, hypocritical and subsidized "leading Democratic paper of the State." They exposed its recreancy to principle, its abjuration of every tenet of its party's faith, its false and vindictive assailment of Denis Kearney, and insults heaped upon the old rank and file of the Democratic party, because they chose to be no longer gulled by the *Examiner* and its gang of time-serving dishonest professional politicians, headed by Governor Irwin, U. S. Senator Farley and Doctor Gwin.

And to further attest the genuine animus actuating these plundercratic cormorants, vultures, hawks, jackdaws, spiders, hyenas and coyotes; that it is not the merits or demerits of the New Constitution they care one fig about, or know anything about—it is a fact that not one in fifty of them has read a line of it. I listened last week to one of these capitalists berating Judge Pratt for sustaining the New Constitution, who declared that a man of his fine intellect and large wealth, must be mad to advocate the adoption of that sand lot, hoodlum and communistic document. Said Pratt to him, I have read and re-read every line in it, and regard it as an excellent Constitution, with some defects, of course; but will you please point out what particular features are so obnoxious to you? And what was the response of this indignant Moneybag—Sir, I have not read a line of the infernal thing, and do not intend to read it.

It is threatened that capital (cash capital) will leave the State in the event of the adoption of this Organic Act. Now, if we can rid the community of many of these Capitalists, it will be greatly to our advantage, even should they take such money capital with them; since, in place of it, there will be augmented a certain character of capital we greatly more require than gold and silver. It is the creation and active employment of sentiments of honor, truth and patriotism—of fidelity to public and to private trusts. This is the character of capital we have the greatest need of; and it is these identical money-grasping Shylocks who, chiefly, prevent the fructification, cultivation and utilization of such indispensable capital and currency. Let these Plundercrats go!

The objections made by the plundercratic organs to certain alleged defects of the new Constitution are frivolous, false, carping, hypercritical and hypocritical. In truth, it is not the character of this proposed Organic Act that these plundercrats and their servitors so much object to, as said before, as the dread of the Workingmen electing their many candidates and taking possession of the State and city governments, in the event it shall be adopted by the people. This is what strikes terror to their guilty souls. What care these men about any sort of Constitution as long as they can fill the offices with their creatures? Can they not then ignore the new as well as they have the old?

They and their mercenary speakers and penmen contend that the old Constitution should be maintained, because the Courts have been for thirty years construing and settling its provisions; and that to adopt the new will tend to unsettle such questions and decisions. Now, whatever has been righteously determined will remain, even should the new be substituted; but what these thieves so greatly dread is, that these thirty years of misconstruction or ignoration of the old Constitution and statute laws will be set aside, under a new Organic Act, just statutes made in conformity therewith, and properly construed by honorable and intelligent judges, and they be made to disgorge the vast booty acquired through those long years of legalized spoliation. These depredators deprecate the popular threat of "cinching capitalists." Now, since the most of these capitalists have been cinching the people these many years, is it not time the tables were turned ?

I have stated elsewhere in this discourse, that these plundercrats not only seek to have no obstacles placed in the way of their thieving schemes, but prevent investigation of the numerous crimes of which they are guilty. For instance, that one alone—the bribery of Assessor Rosener of San Francisso county, wherein at least two hundred of our, so called, "leading, wealthiest and best" citizens, including bankers and other money-lenders, big merchants, ship-owners, and large real estate holders, can be proved guilty and sent to the penitentiary for from one to fourteen years. The Grand Juries, Courts and Prosecuting Attorneys have all been bribed during the past five years to prevent these criminals from being indicted, tried, convicted and punished. No wonder these fellows are shelling out their cash so liberally to defeat the Constitution and Workingmen's party, with the State prison doors thus staring them in the face.

Wm. C. Ralston, Cashier of the Bank of California, was treasurer of this bribery fund, and kept a list of all contributors to it. That list is, no doubt, in the possession of Wm. Sharon or D. O. Mills. When the time shall have arrived to demand it, a *thumbscrew*, if nothing short, will produce it.

Another manouver of these plundercrats and their cunning henchmen, to divert attention from their crimes and the great and vital issues of the State, is to interject general or Federal politics. Except the Chinese, no such questions should, this year, be listened to or spoken about here by any having the welfare of California at heart. Discussion of the proposed new Constitution and other local measures, and selection of proper men to effect these home reforms, should alone engross our attention at present.

What arrant hypocracy for all these, at heart, pro-Chinese and land monopoly papers and politicians, to cry out against the new Constitution, because Chinese immigration and land monopoly have not been expressly prohibited in it. Had such clauses been inserted, these same papers and politicians would have denounced them. A notorious agent of the plundercrats, in the Convention (Col. Barnes), did, jesuitically and hypocritically, strive to have engrafted an obnoxious Chinese Article for this very purpose. He and other such agents in that body and out of it—disciples of the anti-State Rights and "Universal Brotherhood of Man" school—went back on all their teachings of such tenets, to more fiercely than any denounce the Chinese, and proclaim the most ultra State Sovereignty doctrine. But who so gullible as to believe them sincere ?

Among the complicated and Janus-faced contradictions and hypocricies of some of the opponents of the new Constitution, is the outcry of all the Railroad organs against the Railroad Commission, provided for in such instrument. They object to it because, they say, that three men can be more easily bribed by Stanford & Co., (their own masters), than can one hundred Legislators. Why do not these unartful dodgers place the question rightly before their readers ? Why do they not tell them that the fully tried experiment in California, and many Eastern States, has demonstrated the utter inability of a Legislature to manage railway matters—that these can alone be done by a Commission, and that the only question is, shall the Legislature or the People elect the Commissioners. The present Constitution permits the Legislature to elect them, the submitted new one, authorizes the people, directly, to do it. Two of king Stanford's oily-tongued servitors Creed Haymond and A. A. Cohen, are making speeches to prove that the Railroad Commission scheme was concocted in Convention through the secret artifices of the Railroad Company, and hence, their virtuous opposition to the new Constitution. Oh ! I used to have a good opinion of the intellect, though never any faith in the honesty of these two men. But after manifesting such assininity as to imagine they can gull a single voter, in the State, with this barefaced bamboozlery, I cease to have such opinion of their sense.

The same hypocritical inconsistency, however, marks the conduct of all the other Railroad Company's servitors, their newspaper organs included, who charge that this Commission is the very thing these Companies desire, yet vehemently oppose the adoption of the new Constitution.

They assert that three men cannot be found, in all California, whom these Railroad Companies will be unable to bribe. Doubtless, such cannot in their ranks.

The projected new Constitution compels the rich, who have, heretofore, evaded their proper taxation, to pay in full, and thus reduce the percentage of levy, and so benefit the man of small means, who has always been assessed at the full value of his property; yet these same rich fellows, voicing through their hireling mouthpieces, effect to believe that the instrument discriminates against the poor. What solicitude these wolves have for the welfare of the sheep!

But one of the best feature in all the new Constitution is that *section* which relegates to the respective counties the management of their local affairs. This is not only a sound republican feature of government, but removes from the Legislature that vast log-rolling corruption appliance (local and special legislation), which has been used by the great corporations and other plunderers, to carry their iniquitous measures through that body.

Home, or neighborhood, self-rule is the true conservation of liberty—the best safeguard against centralization and despotism. For years, the people of California have been demanding this change in our organic law so as to secure such natural right. It is guaranteed in the new Constitution, yet we find every solitary plundercratic organ in the State, opposing the clause. Wherefore? Because it removes from the Legislative halls that corrupting leverage, the great corporations and political schemers have always relied on to further their rascally ends. It is a cardinal principle of the Democratic party's creed, yet, we find the *S. F. Examiner*, the leading organ of such party, in California, equally with the Republican leading organ—the Sacramento *Record-Union*—strongly opposing it.

There is only one paper in the State which has outlied the

Examiner in misconstruing the new Constitution, and that is its brother railroad organ, the *Record-Union.*

Another reason for the *Examiner's* false course lies in the fact that its founder and principle owner, is a wealthy, penurious, cent per-centing old Shylock.

The bulldosing movement of the land monopolists, bankers, merchants, stock gamblers, and others of their ilk, to inaugurate a panic and force a greater depression of prices and monetary stringency, to operate against the new Constitution, should the stronger induce all seeking good government to vote for it. When were these classes, in any country, ever known to favor just laws, and act the part of honest citizens ? In the language of the illustrious Napoleon—"Merchants have no honor, no patriotism, they will sell their country for a sous." And what says the great historian, Gibbon, about them—"Of all classes of a community the mercantile is the least patriotic and the most dishonest."

Mark the recent language of that generalisimo of the "Pick Pandle Brigade," representative merchant Coleman, who sneeringly termed the advocates of the New Constitution a "rabble," and declared that the country should not be governed by its ignorant or "unthinking majority."

This insolent, upstart trafficer, has blurted out the true inwardness of nearly all his class. It is because he and his kind have been ruling the entire country for forty years, that every sound, economic governmental idea has become perverted, and all the laws made and construed to crush the industrial or producing classes, and discriminate in favor of the non-producing trafficers, speculators and monopolists.

The time is close at hand when another Jackson will arise to throttle these long dictating and polluting bankers and merchants.

This *Bourgeoisie* component of society (residing in the towns and cities) have, everywhere, all over the State, antagonised themselves to the others by opposing the New Constitution; and in other portions of our country, actuated by the same selfish motives, as in Ancient Rome, modern France, Germany, in fact, all countries, manage to seize upon and control affairs, so as to bring about those bloody internal convulsions, to which their unbearable exploitations, oppressions and pollution, at length drive the others to revolt against.

In all countries, and in every age, this *bourgeoisie* class has been the incarnation of extreme selfishness, and, consequently, the most dishonest element of society. They constitute the worst *preying* portion of it, infinitely worse than the house burglar, highway robber and petty thief, because the latter steal outside the pale of the law, and in open defiance of it; whereas, the others pervert the law, and corrupt its makers and administers, in order to steal inside its protecting pale. These would have all the laws made for their especial benefit, and to guard and unjustly add to their stores of wealth. They place the protection of property of paramount importance to the protection of persons. The value of a man, in their estimation, should be measured by what he extrinsically has, not by what he intrinsically is. They have ever been the foes of the wise and the virtuous, because the wise and the virtuous have ever, of necessity, been antagonistic to their erroneous ideas and dishonest actings.

I have, for several years, as my numerous writings and much talkings attested, essayed to have, as a *denier resort*, to correct the deep and all-pervading evils afflicting the body politic, short of a bloody revolution—towards which we are rapidly drifting—just such an organization as this Workingmen's Party Of course, I do not indorse its phantasies and fallacies and utopian expectations, but these are inconsequential. History has taught me that such social and political upheaval of the substrata, was a pre-requisite to any reform, in such a condition of society as ours.

The main object and effect of a victory to such new organization, will be to smash the machinery of the two rotten old parties, in this State; to deprive their professional and incurably corrupt and selfish politicians and leaders of all influence, and oust from office their venal and inefficient representatives. This removes hitherto insurmountable obstacles to any reforms, and opens the way for ulterior methods, and measures to secure such.

For it matters not how good a man is who may be placed in office by the Democratic or Republican Party, or any party ruled by the plunderocracy, he will achieve no reform, because the machinery of those effete and expiring old parties will so trammel and control him, as to render useless any efforts or desires he may have or take, in such direction. The camarilla or secret "power behind the throne," which controls the machine, will dictate his action.

For years, these parties have been alternately victorious in California, and the elect of each have vied as to which should do more harm instead of good to the country—which should more faithfully assist the plunderings of the plundercrats.

To the credit of the Democratic rank and file—that is, the great body of them—they have repudiated their faithless leaders and organized a new party.

The Workingmen's party is the true Democratic party of the State; because it is the only party of progress, the party of reform, the party of the people, and the only party opposed to the infernal rule of the plunderocracy.

Dray-driver Kearney, its present recognized leader, is an iconoclast—a rough breaker of false political images, which have so long been worshiped by a bigoted, suicidal and deluded populace. He is engaged in a legitimate undertaking—tearing down the rotten structures of the body politic. As he and his surrounding aids know little about uprearing new ones, efficient architects must be sought and set to work to rebuild the better. Let Kearney and his kind pull down the old—let others uprear the new. Of course the former conceive themselves competent for both tasks, and will essay to solve the intricate problems of government, or, alone, select the men to do it. Kearney says we must choose for office (law-makers included) dray-drivers, stevedores, bricklayers, mechanics, cooks, common laborers and the like—men of bone and brawn. But I would cite him to what Plato, in the *Republic*, dialogues about this. Says such illustrious philosopher: "If I build a city I employ carpenters and masons; if a ship, shipwrights; if a coach, wheelrights and other handiwork artificers or craftsmen, according to their especial callings. But to choose public Guardians—men to manage the affairs of State—I would select from that rare few only those fitted by nature and by education for such lofty and responsible duties."

There can be no legitimate objection to men of strong muscle and from the manual labor ranks being selected as such Guardians, provided they have the best brain capacity and other superior fitness to fill such stations. "Knowledge is power." It is brain, not brawn, which rules the world.

Were our artisans and common labor classes as virtuous and enlightened as were the plebeians or common people of Rome, at the establishment of the Tribunitian system of government, and for centuries, subsequently, they would know whom to choose for office. But this need not be looked for until our entire people shall adopt a similar form of government—at least, a separate and concurrent class rule—to that most admirably checked and balanced one. And this must early come to pass, else through the throes of a terrible sanguinary conflict will come the mailed hand of Cæsar.

"History is philosophy teaching by example." Many have perused its pages, few have derived wisdom lessons therefrom; hence, the lettered as well as the unlettered grovel on in Cimmerian darkness, and become wiser only through sadful and dearbought experience. But the mother wit instincts and earlier suffering experiences of the unlettered masses, illuminate their intellects to a clearer conception of truth than that with which the large majority of the educated are imbued. This is being demonstrated in the existing political contest in California—in fact, all over the American Union. The illiterate many are struggling to overturn the plundercratic *regime*, as an indispensible prerequisite to any reforms; whilst most of the literate or educated (not, however, the best thinkers among them) are striving to perpetuate that *regime*, and thus estop or render nugatory all efforts at reform.

Denis Kearney and his Sand-lot surroundings are *sine qua non* appliances for achieving ulterior good results. Let these "ruffians" continue to yell, since such sounds the death knell of this plundercratic power.

Unable to disguise any sentiments I may entertain, I will here frankly admit that, looking, perhaps, some further and clearer into futurity than the most of my fellow-citizens, and impelled by a sacred animosity against the misrulers of the country, whose power I seek to overthrow, I have of late come to the conclusion that a more complete victory over the plundercrats and their chief agents—the lawyers, preachers, politicians and newspapers—can, ultimately, be obtained, should these succeed, through their false and foul endeavors, in defeating the new Constitution. Such defeat will all the more embitter, strengthen and consolidate the augmenting and upheaving Reform Party. Thousands who may be deceived into voting against this Organic Act will, before September next, have altered their opinions, and conclude to cast their ballots for the new party candidates. We shall then sweep the State, electing nearly every official. And provided men of sense and nerve shall be sent to the Legislature, they will follow the example set by the plundercratic tools in that body and on the Court benches, by ignoring the present Constitution, when necessary, to rectify the huge wrongs these plundercrats have committed, by reason of their setting aside or trampling upon such instrument during the twenty-nine years of its existence. Let them defeat the new Constitution at their peril!

And I will here enunciate some further prophetic speculations.

Last June, just previous to the vote on the Convention call, I advertised, in several newspapers, that I would deliver a discourse, outlining the plan of a Constitution which, if formed and adopted, would end the angry class clashings in society, and avert the impending internecine bloody revolution so threateningly approaching. I delivered that discourse in the 15th District Court Room to a very small audience of which no paper made mention. In it I predicted that should such order of Constitution not be established (one in which independent class suffrage, concurrent majorities and minority representation were the leading features), neither another sort of Constitution, if adopted, nor the present, should that be rejected, would exist five years hence, and I now reiterate such prophecy.

A few days ago a member of Congress from Illinois proclaimed in the House of Representatives, that he believed the present to be the last American Congress which would assemble. Perhaps it will, unless a government of widely different character shall early be established—one in which the explosive forces shall be removed—in which disrupting sectional and class antagonisms shall be provided against by clothing each with the absolute prerogative of defending itself. The grand old Roman Republic set us an example to follow, to be modified, of course, to suit our different civilization and other variant conditions.

This is the only system of government under which the poor, the producer and the honest can be properly protected.

Three alternatives lie before the American people to be speedily selected from.

1. A consolidated despotism, commencing, perhaps, with Grant at its head, who, if installed President, will, under the forms of a Republic, wield kingly or autocratic power. This is the style of government the bankers, merchants, large landholders, stock gamblers and the like, all favor.

2. To plunge into bloody anarchy, for an indefinite number of years, and bring unnumbered woes upon a fragmented Union and belligerant society, ending also with a Cæsar—or,

3. To establish the conservative and natural order of republican government, I have pointed out, and thus restore peace and prosperity to the distracted land.

This latter system of government I have, for a number of years, been advocating. The American people will I hope, early adopt it. *Ex necessitate Rei*—the necessity of the thing—will drive them to it. The existing fierce conflict of classes, in California, presage it. Normal institutions—legitimate and long lasting forms of government—spring from and grow up according to the genius and imperative needs of a people. An early fundamental alteration, in our civil polity, is inevitable, because the condition of affairs impel it. The rich and the poor, the high and the low, the strong and the weak, the intelligent and the ignorant will, alike, be protected under the system I have foreshadowed. When adopted, instead of filling our public stations with incompetent, unpatriotic, and immoral persons, each class will vie in selecting the purest and ablest representatives. This order of government will be self regulating, the natural antagonizing of the variant classes and interests compelling the adjustment of selfish differences on the equilibrium of justice to all.

Hence, that such natural, and, therefore, harmonizing system shall be the earlier adopted, it may be better that the submitted new Constitution shall be rejected, and, as elsewhere argued, that the Workingmen's Party shall secure a majority of the right sort of Representatives in the next Legislature, who will virtually set aside the existing Constitution and pay back the depredating rich, in their own coin, by passing discriminating laws against them, and thus compel them, as the Plebeians compelled the Patricians of Rome, to propose a compromise and inaugurate the plan of government suggested.

A perusal of that period in Roman history will exhibit an exact counterpart to the existing condition of affairs with us. Like our Shoddy Aristocracy, the Patricians seized upon the most of the unoccupied Public Lands, which, as with us, were held a common estate of all. They evaded the payment of their due share of taxes and compelled the oppressed Plebeians to pay most of the expenses of government. They made and executed all the laws in accordance with their selfish purposes. They used the police force and the army to suppress any murmurings of discontent on the part of the Plebeians—imputing to their menacing but just demands, the disorders of society and sufferings of which they complained. They fined, imprisoned, or banished such of their prominent leaders whom they could not or did not buy, and broke up orderly meetings convened to take measures to secure redress of grievances. The parallel may be further extended. In Rome, as with us, the most of the lawyers, politicians, priests and penmen were, at such period, the pensioned servitors of the malgoverning Patricians.

I have stated an oft quoted truism—that history repeats itself. We are about repeating, in America, one or the other of the two most important pages recorded in the annals of humanity. To the first I have alluded. It was that memorable epoch in ancient Rome, when the long oppressed Plebeians finding all other efforts to ameliorate their condition inefficacious, resolved to appeal to arms. The entire Roman state was on the eve of being plunged into a sanguinary conflict of classes when the Patricians agreed to cease their robberies and extortions, surrender much of the wrongfully monopolised Public Domain and share with the Plebeians an equal rule of the government, wherein the Patrician representatives continued, as hitherto, to make all the laws, but the absolute veto of such as were construed to not operate justly upon each class was vested in the representatives of the Plebeians. Thus was Rome then saved from the spilling of one drop of fraternal blood, and the foundation was laid for that imperial world-conquering Republic, which endured for centuries, and the genius of whose language, literature, religion, arts, arms, laws and civil polity, has largely dominated all Christendom, ever since.

The other grand event was the terrific French Revolution inaugurated in 1789 — the bounden effect of a long series of years of misrule and oppression by Kings, Ministers, Noblemen and wealthy Commoners; who, to the last, refused to hearken to the groaning plaints and agonizing petitions for redress, resounding throughout the Kingdom during that lengthy period.

It is for our so-called Patricians or Nobility—the bar sinister blooded Plutocrats—to say which of these alternatives they intend to accept. Their present blinded Bourbonism looks as if the latter. And it is my strong conviction that it must, inevitably, come to this, why I, after several years of active and prominent efforts to get up the late Constitutional Convention, have not been more active, prompt and prominent in securing the popular indorsement of its labor. For I once again proclaim—let the plundercrats defeat it if they dare, it will be the worse for them.

But they will do it if they can, for demented by their inordinate avarice and shortsighted selfishness they seem oblivious to all the signs and portents of the times. We have recently had an exemplification East of this blinded and demented conduct of the large capitalists. The telegram stated that a combination of them had agreed to take many millions of the United States four per cent. Bonds as a safer investment than any other securities, though the latter pay larger interest.

Now, if town, county, State and individual corporation securities are endangered, by reason of our social, political and financial disturbances, are not these Federal Bonds, likewise, in danger of depreciation or becoming entirely worthless? If the credit and stability of the others, which are the foundations on which the Federal superstructure is reared, be undermined or shall rot away, will not such superstructure fall ? In fact the sovereign States, the creators of the Federal Government, will survive, in some form, though such creature of them shall perish.

In Union Hall the other night our renegade Governor demagogically told the depositors in the Savings Banks that the adoption of the New Constitution would break up such institutions and compel them to invest in U. S. four per cents.

It has been the fashion of several of the plundercratic organs and other servitors of such dynasty, to denominate Kearney as a sort of California Jack Cade, because he has spoken so denunciatorily of law books, lawyers and other educated men. But ought he and his associates to be censured for this? Have they not witnessed that these law books, lawyers, judges, editors and most other writers and educated men are the staunch sustainers of our thieving Dollarcrat nobility and their vile misgovernment of the country ? Where do you find the great majority of such to-day, in California?—doing violence to their consciences by selling their abilities to uphold the existing rotten condition of affairs. These men and papers do not term me an "agrarian," "ignoramus," a "blatherskite" nor a "knave," and yet I indorse pretty much all of Kearney's Jack Cadean philippics against them.

They deserve the worst that he has said about them, and a great deal more. In fact, the greatest fault I have to find with Agitator Kearney, is, that he has not been sufficiently denunciatory of these "daylight robbers and midnight thieves." He, like myself, has some genius in coining words and phrases, with which to more properly depict the villains. Let him invent some new ones.

These arrant and unspeakable rascals threaten that, in the event of the adoption of the New Constitution, they will take their cash and flee the State. The fact is such, penitentiary and gallows-deserving knaves well know they have *got* to go in the event of the new order of men and affairs attaining to power in California, or take the consequences of remaining; and are thus paving the way with excuses for their intended sudden leave taking. But we don't intend these contemplating *emigres* shall take their stolen booty with them. They must disgorge such plunder before going.

It is a conceded fact that nearly all the capitalists of California are the meanest, most sordid, most avaricious and most dishonest on the surface of the globe. There may be some worse in hell; several of ours have gone there.

Kearney has, also, denounced the Clergy, and advantage has sought to be taken of this to prejudice Church members against him and his party. But do not the most of the priesthood, Catholic, Protestant and Hebrew, pander to and side with the plundercrats in opposing the New Constitution and the reform movement? This was to be expected. They are the counterparts of that pharisaic set, against whom the great Nazarine Reformer thundered his anathemas throughout Judea, eighteen hundred and fifty years ago. "Wo! unto ye, scribes, phari. sees, hypocrites, lawyers, unjust judges, money changers, usuers and land monopolists," spake that immaculate man-like God or God-like man, whichever he may be titled. Where would he stand if in our midst to-day? As fiercely assailing these same classes here as he did then and there.

Some of these whited sepulcher Anti-Christs oppose the New Constitution, because enough of God is not recognized in it. Better these fellows get a little of God put in their hypocritcal hearts.

And some of these same unconscionable hypocrites have been making a simulated sacrilegeous outcry against the "Passion Play," recently acted in this city; and illegally using the municipal authority to prevent it.

Foremost among such pious pretenders, is Supervisor Rountree, Deacon in Doctor Scott's Church, and a Front Street merchant. Now, if this fellow will, instead of running a religious muck against the Passion Play, cease assisting the Water Works Company, Gas Works Company, and other roguish monopolists, to rob the people of San Francisco, which he has been doing since the day he was inducted into office, he will stand a better chance of getting to heaven, provided he ever did or can have such chance.

And how inconsistent are these same piety pretenders who object to the "Passion" personification, performed, in the main, by members of the Old Mother Church, and not objected to by its Clergy, yet attended, in that same theater, to listen to the travesty of the Bible, his ribald jestings and infidelic scoutings at all religious sentiment by Col. Robert Ingersoll.

Kearneyism, so-called, is an effect—a natural and bounden effect—and not a cause of the tumultuous and distressing times on which we have fallen. The causes I have enumerated in this discourse. These causes are the men and their vile system and doings herein set forth. And those who most deprecate Kearneyism are the most responsible for producing such bounden effects. The plundercrats who have ruled this State from its foundation, are its really criminal element—its most dangerous class of society. I have, for thirty years, been pointing this out, and asservating it in all my writings.

The utilization of Kearneyism is but a means to an end. It is an alterable medicine; a sort of drastic purge, to work off the unhealthy humors of the body politic.

This turbulent and purifying ordeal has long been foreseen and predicted by others as well as by myself. Again and again during the past near third of a century, have I sent forth pamphlet after pamphlet, and article after article, through newspaper medium, warning the misrulers of the country of what would, ere long, be the bitter fruits borne of their bad planting. But the only response to such monitions was to instruct their hireling newspaper and politicians to characterise me as being sour-tempered, disappointed, insane, a false prophet, bird of ill-omen and the like. They also titled me a misanthropean Ishmalite, an incendiary and would-be disturber of the peace.

These bitter fruits are now ripening and must be eaten by those who cultivated them. As they have sown so shall they reap.

Let these plundercrats and their minions continue to call for the police and the military to put down this revolution of their origination; they will call in vain, because the people—the long defrauded and misruled masses—are arising, in their might and anger, to overthrow such crying evil. *Vae Victis!*

True, these masses are themselves to blame for ignoring men of virtue and high intellect, and filling their public stations, as a rule, with knaves or fools; but, as history teaches, they will not permit such self-blame to operate as an estoppel to this movement, but will vent their vengeful anger against the demagogues and wealthy plunderers who have deceived, misruled and robbed them. And what effrontery for these very plunderers, their subsidized newspapers and official tools to now come forward and taunt the people for having voted to put themselves in office and thus keep up a system so much complained of.

We are entering a transitionary period, in which momentous social and political changes will occur. The Bourbon class will, of course, oppose these changes—will war against the hand of destiny—will strive to stifle such bounden birthings. But these impotent fools and knaves had as well strive to stay the inrolling tides of the ocean.

Old parties are crumbling to pieces. New combinations are being formed of affinitive elements. The Bourbons and plundercrats East, as well as in California, are consolidating their forces to maintain the *status in quo*, and have adopted the deceptive appellation of "Non-Partisans," yet, are partisans of the strictest order.

These old Bourbons have been sneeringly terming, for several years, the constantly increasing dissatisfied and justly complaining many, Adullamites. We accept such appellation. Our prototypes, in ancient Jewry, from whence this title is derived, had such excellent cause for their complainings—precisely the same as with us—as to, at length, achieve a victory, under the gallant David, over the embattled hosts of persecuting and oppressing Bourbon Saul. And so it will be here. The Adullamites will win.

I have said that the two old parties, in California, are rotten to the core; but candor compels me to admit that the once grand old Constitutional party to which I have so long belonged, and whose principles have faithfully defended—the Democratic—is the more debased and debauched, by reason of having the more recreant leaders. Both, for several years, have been manipulated according to the imperial ukases of Leland Stanford. A few years ago Stanford was threatened with a noosed rope by the old band of plundercrats of San Francisco, because he had said, in one of his railroad manifestos, that the city had been built upon the wrong side of the Bay; and had signified the intention of securing Goat Island for a railroad terminus, and, consequently, building up a rival city there. But, after being bulldosed and bounced to abandon this design, and resolving to make his road terminus in San Francisco, removing his company's headquarters to it, and he and his prime ministers erecting their palaces in its midst, he was then chosen and crowned their grand imperial chieftain. Thus supported, this puissant potentate has long absolutely ruled the politics of the State. Through Gorham, Sargent, Page, Stowe, Gage, Abell, Boruck and others, including some forty or fifty newspapers—the *Record-Union* at the head—he runs the Republican party; and through Gwin, Irwin, Farley, Lewis, McCoppin, Maynard, Curtis and others, including some score or more newspapers—the San Francisco *Examiner* at their head—the Democratic.

Just nine years ago (30th March, 1870) I addressed a large assemblage—mostly mechanics and common laborers—from the tumbling walls of a cemetery vault, on the now world-heralded Sand Lot of San Francisco. It had been the city burial place, and was then called Yerba Buena Park. A synopsis of that speech was published in the next day's *Evening Bulletin*. In it I counselled them to organize independently in order to better make headway against thieving monopolists and their chief agents, the lawyers, politicians and newspaper proprietors. But the time was not then ripe for action, nor had they an efficient leader. Both are now at hand, and in the Book of Fate it is written this party shall succeed.

THE PLUNDERCRATS MUST GO!

A word in explanation of my crusading exclamation.

As the greater includes the lesser, as causes control effects, so I sum the leading shibboleth of the Workingmen's party—"The Chinese must go"—as well as the other great evils afflicting the land, in my Catonian cry—

THE PLUNDERCRATS MUST GO!

This is my *Delenda est Carthago* war note.

APPENDIX

A.

[Extracts from a Pamphlet-published Address to the Legislature.]

Assembly Concurrent Resolutions, No. 35.—Introduced by Mr. Tully, February 6th, 1874.—Relative to title in fee of the Government to Public Lands and Municipal and Intercommunication Monopolies.

Resolved, by the Assembly, the Senate concurring, That the public lands of the United States are not held in absolute fee by the Government, to be given or sold in unlimited quantities by the Congress thereof, but are in the nature of a joint or common estate possessed by the entire people, and can only be segregated and parceled out among such people, in limited quantities, under rules and regulations prescribed by said Congress, acting as a fiduciary agent; that the spirit of our laws, and the genius of our institutions, long since determined that one hundred and sixty acres is the maximum quantity allotted to an individual occupant, which occupant is alone entitled to receive the patent therefor ; and hence all public lands otherwise alienated have been in violation of this trust and agency, and should, where held in larger tracts than 160 acres, revert to the common estate to be thus parceled out and possessed.

Resolved, That the great highways of intercommunication, whether of persons, property, or intelligence—navigable lakes and rivers, canals, railways, turnpikes and telegraphs—should be free and open to all persons at a minimum rate of charge, and subject to no exclusive nor undue corporation or monopoly profits and tolls; and that the incorporated governments of towns and cities should own and conduct all street Railways, Waterworks, Gasworks, and other public municipal requirements.

Resolved, That the Governor is hereby requested to forward a copy of these Resolutions to each of our Senators and Representatives in Congress.

* * * * *

The Resolutions under consideration, relative to the primary tenure in the public domain; monopoly profits on lines of intercommunication, and the corporate ownership of municipal franchises, are an exact transcript of those presented last session by Mr. Days. I am their author. The ideas embodied therein have long been entertained by me, and often sought to be made public ; but no newspaper proprietor would permit their enunciation through his columns, until some five or six years ago, when I persuaded the owner of the *Golden City*—a San Francisco literary weekly—to let me insert them in his paper. The same were promulgated in a political pamphlet issued by me during the Gubernatorial canvass of 1871. And the leading papers of the State, including certain pseudo-reforming ones, are still in opposition to them. Having largely assisted in such plunderings of the public lands, these open and covert organs of the plunderers are, of course, inimical to any measure calculated to enforce a disgorgement of this booty—some of them, doubtless, holding a goodly share of the same. The Resolutions were indefinitely postponed last session, by a vote of thirty-four to thirty. I hope that no such evasion of an expression upon their merits will be permitted this session. The lawyers, including judges, will, of course, nearly all oppose them. I look for nothing different in connection with any genuine reform measure from this Bourbonic class. With all their reading and intelligence and profession of love of justice, where do you find them standing in those great upheavings of a people against the grinding oppressions of a long endured malgovernment? Always, with rare individnal exceptions, upon the side of wrong, and staunchly maintaining the *status in quo* or letter of inequitable enactments and decreements. Consequently, whenever these uprising oppressed communities obtained the mastery, their first avenging acts were to burn the law books and court records, and kill all the judges and lawyers they could lay their hands on; except some cunning and dissembling few of the demagogic order, who suddenly mount the cresting wave of the onrolling revolution and enrank themselves among the foremost and most radical, because the prospect for pay, as well as safety, appears to be better upon that side. But these menacing popular commotions teach nothing, give no monitions to the body of the lawyers.

The great and good Judean reformer (carpenter Joseph's putative son), when thundering his fierce anathemas and terrible invectives against that trio of oppressors and despoilers—the pharisaic priesthood, usurious money changers, and the lawyers—was not alone unheeded in his prophetic warnings, but crucified through their instigation, for seeking to disturb "vested rights," and the *status in quo* of such men's upholding. Nemesis, however, soon overtook this triumvirate of wrong-doers, as well as the debauched and blinded multitude who followed their lead; just as she threatens to soon pour out her vials of wrath upon this same triumvirate and their dupes in our land, at this day.

In wholesome eras, when laws are properly made and administered, the conserving proclivities of lawyers render them the best class in a community. But when, in degenerate eras, such as ours is in this land, where an intellectual and moral taint enpermeates the whole of society; where the governmental system is abnormal, and law is perverted in its making and administering; when the dispensation of injustice instead of justice becomes the rule of the courts, then this conserving sentiment and action render them the worst class. Their education teaches them to maintain every abuse practiced under the *forms* of law. Court decrees, however wrong, must, in their opinion, be held inviolate, unless regularly set aside by other court decrees. And even not then, should so-called "vested rights" have intervened, when they raise those canting, swindling and estopping outcries of "*stare decisis!*" "*res adjudicata!*" "*ex post facto* laws!" and "vested rights!" and thus essay to perpetuate wrong and encourage wrong-doing. Having dishonestly acquired this property through the forms of prostituted law, they and their clientelles hypocritically profess their "sacred regard" for the "rights" thuswise obtained.

The big gun lawyer and Boanerges orator of the Assembly, (Norton), a "Dolly Varden" reformer too, informed me that he would oppose the first resolution, because it was revolutionary in character and disturbed "vested rights." I responded that it *was* of revolutionary tendency, but denied that it disturbed any vested *rights*, but would annul the vested wrongs, frauds, robberies and rascalities through which this vast domain had, by lawyer instrumentality and false legal appliances, been transferred to speculators. For over a score of years, as well and widely known, I constantly combatted this thievery. But of what avail? So far from stopping it, each year witnessed some new device for plundering these acres, and that in still huger quantities. Hence, long since ceased such fruitless effort. And why longer continue this now delusive outcry about putting a stop to such farther fraudulent alienation of this common heritage of the whole people, since almost all the remaining arable area of such vast domain has already been passed into the hands of legalized spoliators ? It is like making a fuss about locking the stable door after the horse has been stolen. And of what use the further investigation of the many fraudulent and otherwise illegal transactions connected with this transferance ? Everybody knows them to be true, and likewise knows or ought to know that but little good land remains to this *cestui que* estate, by reason of such faithless action of the trustees of it.

* * * * *

The relevancy of my assailment of the lawyers and certain other classes in connection with this subject, will be perceived by every one of the least intelligence. These are the persons who have exploited and appropriated this vast domain, and who will oppose its restitution.

We have no titled and exclusively privileged patrician class in America, but are despotically and injuriously ruled by an infinitely worse one than was ancient Rome, in her most degenerate days—an oligarchy of mere wealthy men—individual and corporate. And these exploiting and all-grasping capitalists are chiefly composed of the meanest blooded and and most unprincipled portion of the population. But mark their mighty power. For years, municipal, State and Federal Governments have been absolutely under their control. Their primary agents in acquiring and abusing this power have been the lawyers, newspaper editors and the priesthood ; the secondary and completing ones, our recreant law makers and administerers, which latter include many of the former. From President and Chief Justice* of the Union down to the pettiest magistrate and constable, all, more or less, bow to this plutocratic dominancy. Congress and the Legislatures yield to this potent influence. This Legislature, if not possessing as much talent as some former ones, doubtless contains as much honesty, in the aggregate ; yet, notwithstanding a large portion of it was expressly elected to reform the many abuses practiced by California's moneyed masters, there is not, I greatly fear, moral courage enough in it to dare properly assail these infamous tyrants and their official servitors. Too little of the heroic and self-sacrificing spirit of a Gracchi animates any of you. True, you are running a sort of blind, vindictive muck against railroad proprietary extortions and dictations; but, as hereafter observed, I look for no good results in this to follow soon, nor in the way you seek, for the reason that you are warring against effects instead of causes, and lesser effects at that.

---

* The present Chief Justice, Waite, is proving an excepitno.

There is no justice in the land! What moneyless and, therefore, uninfluential person, dare take a rich one into our courts to assert a right to property of large value, with any strong hope or certainty of obtaining a decision in his or her favor, though all the law, the evidence and the equity shall be upon that side ?

Whence has arisen that stereotyped expression constantly made in California to such impoverished suitors—" *It matters not how much right may be upon your side, you are bound to lose your suit, because there is too much money against you.*"

(I will here add, *en parenthesis*, that since penning this declaration, the Supreme Court of California has verified it in the case of the victim now adressing you. With long deferred and heart sickening hope, he thought that such case might prove an exception to this latter day judicial rule. And I may, likewise, significantly addend, that three of my opponents in it are—first, General D. D. Colton, a one-millionaire, and also the political right bower of Stanford & Co., in their railway management ; second, Judge S. C. Hastings, a five-millionaire, who, when on the Supreme Bench himself, was reputed to have the doorway to his judicial chamber, and his conscience, constantly unlocked by the " Golden Key" of successful suitors ; and who has the reputation of opening more similar entrances to his successors, with the same instrument, than any man in California; and, thirdly, Michael Reese, a ten-millionaire. Additional, also, stands the Hibernia Bank, with its fifteen millions deposit power, and twenty millions aggregate fortunes of its directory and stockholders. So you'll perceive there was, indeed, " too much money" against me. Providence and victory, remarked Napoleon, are usually upon the side of the heaviest battallions. Victory, in our California high courts, appears to generally side with the heaviest money bags. A falser decision has never been rendered in California, prolific as this State has been in such unrighteous rulings. The plainest constructions of law and equity are thrust aside therein. It will be reversed. Injustice and corruption cannot always rampantly rule among us. " It is a long lane which has no turning." But we need not look for any such turning, so long as our judicial seats shall alone be filled from the ranks of professional, practicing and champerty-entangled attorneys, unless the monitory and minatory terrorum examples of other peoples shall be adopted, in order to hang the sword of Damocles over the heads of our judges. If this be done, I would especially recommend the plan pursued by King Cambyses of Persia, who had a corrupt Chief Justice skinned alive, and the skin fastened over the judgment seat, for his successors to sit upon, and thus be always warningly reminded of his fate, and what caused it.) [See Appendix E.]

Here is where reform is imperiously and most demanded. For what are nearly all our high Courts but intrenched strongholds—protecting citadels of America's freebooting Moneycrats, who, when hard pressed, always flee to and find safe shielding beneath the smirched robes of the treacherous officials placed there by the people; and from whence these robbers, armed with weapons and ammunition obtained from them, constantly sally forth in new forays upon the community. They are infinitely worse marauders than those European robber Barons in the middle ages; since one might successfully resist the levying of the latter, whereas, by reason of these cunning latter-day depredators leaguing with so many of our law-makers and dispensers, the property of the masses is placed completely at the mercy of such legalized freebooters.

* * * * *

But go on with your circumscribed and halting efforts at reform. BEWARE! There is a higher and more summarily acting body to supervise and do the work which you law makers and the five judicial interpreters of it, sitting in a chamber beneath, shall prove derelict in performing—the grand Comitia or Forum Populi, the People, in revolutionary parliament assembled. And since history repeats itself, the lessons of the past all give warning that this *dernier resort* is rapidly approaching in our land. If you, Messieurs Representatives, would prevent or stave it off, then dare and do your duty. But I fear you will not. Already three-fourths of the session has passed, and what of much merit has been performed? What real rectification of the scourging afflictions of misgovernment, under which the people groan, has been attempted? If between now and the adjournment you do not go forward more boldly and wisely, you will find yourselves kicking the beam when weighed in the public balance of deserts by your constituency. Do not deceive yourselves with the conception that retrenching the expenditures of the Government—truly, a much needed reform—is the paramount object desired. As usual, too, a mass of time consuming, thought-engrossing and expensive local and other special legislation, is being enacted this session, and I suspect that many members make the mistake in supposing that quantity, instead of quality, will satisfy the people. You must rise to a higher plane of observation, have more expanded views and resolve upon a bolder action, if you would achieve lasting fame for yourselves and benefit for your country.

One page more upon this point. Bacon, in his essay upon "Kingdoms and Estates," whilst arguing in favor of a titled, estated and exclusive privileged Nobility, who should be held strictly accountable for their high trust, observes that it would be to the State's disadvantage to have this Order too largely increased. Now, since the Lawyers compose the major portion of our untitled nobility—have become too numerous, and, like the degenerate and selfish Patricians in certain periods of Roman history, have allied themselves with the more powerful vulgar wealthy—the "Shoddy Aristocracy" of America—in order to unfairly seize, through the forms of unconstitutional laws, upon an undue share of this common landed property, as well as other assets of the country—especially, thereby, despoiling the great producing or industrial classes, the creators of all wealth—it is time for these defrauded masses to arise in their might and anger and subvert such predacious dynasty, even if to effect it they shall be driven to the extreme measures forced upon the French people near the latter portion of the last century.

B.

HONORS DIVIDED.

The *Chronicle*, in its leading editorial the 11th of May, contains the following: "It should be remembered by all that the late election is emphatically the verdict of the producing classes of this State. The farmers are entitled to the first place in the roll of honor."

I am the son of a farmer, a farmer once myself, and, as my writings all attest, and as thousands of farmers and other producers personally well know, have ever been the ardent advocate of the producing classes, especially in sympathy with the agricultural; consequently, am better qualified than the *Chronicle* to pass an opinion in the premises.

The extract is only partially correct. Such verdict *was* the achievement, chiefly, of the producing classes; but it sorrows me to say that the farmers are *not* entitled to the "first place in the roll of honor" for initially organizing to secure the important victory won. During several years I vainly strove to have them thus independently organize, and invite co-operation of the labor element and others of the cities. Additional to appeals to them through print, I often went among them to urge this action. I attended several State Granger Sessions to counsel, as an outsider, with their leading men to prompt them to it, but was met with the response that, their Order being non-political, they could not move in the matter. I asked them what good such Order could accomplish unless it became a political power. They, at length, began to perceive that no good would or could be accomplished unless it did discuss and advocate measures of governmental reform—their late State Lecturer, Wright, and present Lecturer, Pilkington—both sensible and excellent citizens—strongly indorsing such procedure. Moreover, as I, from their first organization in the States, found out and said often to the honest "Brothers," the Grange influence was insidiously used by the traitors among them to subserve the political schemes of their enemies.

In the last Legislature were near forty Grangers, about four-fifth of Democratic persuasion, the others of the Republican. I wrote, as did Wright in concert with me, letters to numbers of these, arguing with and imploring them not to go into caucus to nominate a

U. S. Senator, as a corrupt servitor of the Railway Companies and other corporations would assuredly thereby be chosen ; but to keep out, and by holding the balance of power dictate a different result. Wright and I, on the eve of such caucuses being held, went to Sacramento to use the same argument in person ; but the old party ties proving stronger than their Granger faith, and other influences, which should have counselled a different action, the entire contingent went into the two traps set for them—the one choosing, out of "compliment," a candidate inimical to the productive interests, and the other nominating and electing an old intriguing professional politician, notoriously known as a devoted servitor of the Central Pacific Railway Company.

And what solitary good thing did those, near one hundred, rural representatives in that Legislature accomplish ? I know of not one. They helped to do much that was bad. Additional to electing Farley Senator, they, largely, voted for the infamous "Gag Law," designed to stifle the nucleus or incipient rallying of that grand army which has just achieved the splendid victory the *Chronicle* so justly boasts of, but would rob the initial organizers of it, of the honor due to them. The *Chronicle* itself advocated the passage of that impotent enactment of the affrighted plundercrats, and howled as lustily as any of their organs for the seizure, trial and sending to the penitentiary, under its provisions, of Denis Kearney and comrades. In fact, this paper boasted that it had inspired the origination in this city, by the plundercrats, of the two projected Acts taken by District Attorney Murphy and a delegation of Supervisors to Sacramento, to be rushed through the Legislature in hot haste. The draft of the one prepared by Murphy and the *Chronicle* proprietors, which became a law, was much worse than that enacted, the Assembly having modified it ; whilst the other, which made it a misdemeanor—subjecting a person to fine or imprisonment for speaking disrespectfully of a judge in a company of more than five persons—was too strong a dose for even the servile Senate to swallow.

These faithless farmer representatives—that is, the most of them —not content with such recreant conduct in the halls of legislation, came outside to sneer at the Workingmen's meetings held on Sunday in front of the Capitol, where I several times spoke, but vainly endeavored to induce some of those Grangers join with me in starting the movement towards obtaining the great victory in the "late verdict of the producing classes of this State."

I have mentioned in the Introduction, and heretofore in this Appendix, the divertment of the Granger organization from any useful purpose, in consequence of so many of its leading members being in the pay and service of the C. P. R. R. Co.—that company buying them up by freighting their wheat, wool, fruit, wine, etc., and themselves, at half rates, or no rates, and charging extra heavy rates to others to make up the deficiency. In the same way this company bought up Wm. T. Coleman & Co., and a few other influential merchants, to assist in upholding their extortioning power, and then made up such losses from the pockets of the other merchant freighters.

This, and because large numbers of farmers did not belong to the Grange organization, prevented any concerted action being taken among them to make headway against the long-complained of robberies and pollutions of the plundercrats, until the Workingmen of San Francisco inaugurated the revolt against their further misrule.

It is true that superior credit should be given the farming element for earlier favoring the call for a Constitutional Convention. Ten years ago I commenced laboring to secure this result, mainly as a revolutionary starter, and whilst suceeeding, with a few other agitators of the question, in largely arousing the rural population to take such action, the urban was either opposing or quiescent and indifferent. Four years ago the people (mostly a farmer vote) did *constitutionally* demand the assembling of such Convention ; but a corrupt and assinine Legislature, influenced by the C. P. R. R. and other big corporations, the Supreme Court Judges and other corporation attorneys, as well as most of the newspapers (*Chronicle* included), induced it to declare otherwise—contending that a majority of all the votes cast were requisite, instead of a majority voting on the proposition. The question was resubmitted (it never would have been permitted had the plundercrats for a moment imagined it would have carried), when, chiefly, through the vote and influence of the farmers (strongly, again, opposed by the *Chronicle*), it received such latter majority. But still the farming element, blindly wedded to the two rotten old parties, would have achieved nothing of material benefit, except for the bold new departure taken by the Workingmen of San Francisco, under the aggressive leadership of Denis Kearney, of severing all connection with those parties and organizing a new one.

Thus the honors are divided between these two great productive or manual labor classes of the community ; and their interests being identical, there should be no antagonisms between them, only a generous rivalry as to which shall choose the ablest, purest and bravest men to represent them.

The very issue I labored for years to bring to a head was joined during the late short and sharp campaign, and is being refought the present. I have stronger faith in the Workingmen's party battling such opposition *a l'outrance*, than will the *Chronicle* and its coadjutors—the leaders and rank and file of a to-be-organized "Constitution Party." In truth, I have no shadow of faith in the sincerity of the *Chronicle's* course. *It intends treachery to the interests it now pretends to subserve.* I fully believed so all during the late campaign, and so declared to many.

Let the antecedents of this, the foulest journal ever published in California, indicate its genuine animus.

C.

RAILROAD COMMISSION.

Having so many years taken a prominent part in Railway matters —publishing a vast amount of matter thereon, and attended, as a Lobbyist, several Legislalures to counsel proper action in relation to them; and having been the *first* and *only* person, during several years, to advise the creation of such a Commission as has been provided for in the new Constitution, I feel authorized to speak some further regarding this deeply important question, now that the time approaches for the State to assume its legitimate control over such corporations.

And first, a short summary of history to prove the proud distinction I claim as the prime inspirer of the creation of this Commission. On the last page of the Pamphlet published, "*Address to* the Legislature," laid before that body the 1st March, 1874, is to be found the following:

> "In conclusion, I wlll abbreviately and also diffidently, because feeling myself unequal to the task of solving so great a problem, treat upon that portion of the second resolution which relates to telegraphs and railroads. The former, in my opinion, should, as in England, belong, absolutely, to the Government and become a portion of the postal service. And why not so, to a certain extent, the latter, those, at least, which the Government, State or Federal, has helped to build? At any rate the Government should have a representation in their Directory and actual management, in the ratio of its investment, and appoint superintending Commissioners to watch over those in which, it has none, in order to determine the *minimum* rates at which such roads can be operated. To give the absolute ownership and conduction of them to private parties and then undertake to regulate their freights and fares [by the Legislature] has always appeared to me to be absurd. The experiment, in this line, being attempted by the present Legislature, will prove abortive so far as achieving any of the results directly aimed at; but indirectly and remotely, good, I hope and believe, will flow from it."

That was the Session in which the famous "Freeman Bill," regulating fares and freights was so fiercely battled over, in as well as out the Legislative halls. The Railroad Companies expended vast sums in subsidizing Newspapers, Judges, Lawyers, Legislators and Lobbyists, to oppose such Bill, whose plea was that no power existed in the State to so control them. I opposed such latter assumption, but, whilst claiming the right of the Legislature to thus act, contended that it was impracticable of execution, directly, by that body. Nevertheless, I favored the passage of the Freeman Bill (for the reasons stated) after finding that not only not a solitary member in the Legislature but no one in all California or any of the other States, so far as I knew, sustained my views about such a Commission. The Bill passed the Assembly but was defeated in the Senate.

At the ensuing Session the same fierce and *costly* (to the R. Co.) controversy was had over the "Archer Bill." I was on hand again and took the same position as before. This, like the Freeman Bill, passed the Assembly but was defeated in the Senate.

By this time it began to dawn upon the minds of some that it was impracticable, though empowered with the prerogative, for the Legislature to regulate fares and freights, and some members commenced to advocate the creation of a Commission to do it. But the Railroad Janissaries in the Legislature, under the Captaincy of Farley—Stanford & Co.'s right bower in that body—and the well known veto to be looked for from his left bower in the capital—Governor Irwin—would not permit such a Commission to be projected ; consequently a sham, impotent and expensive Commission was, as a "tub to the whale" created, which authorized the Commissioners to find out and report that which every person in California already knew—that the Railroad operators were charging exorbitant and wrongly discriminating rates, as well as guilty of a great many other illegal and much hurtful practices.

I may add here, parenthetically, that such—"how not to do it"—sort of legislation, has, all along, been the rule in California, as well in City and County as State management. Notably has this been the action in regard to the water supply to the city of San Francisco. To secure such State and City legislation and other serviceable rascality, the Spring Valley Water Company has expended at least two millions of dollars of bribery money during the past twenty-five years. As, elsewhere stated, the Railroad Company has expended about three million dollars of the same sort of money—all extorted from the people's pockets. And yet none of these rascals—bribers nor bribees—have been hung, nor even penitentiaried.

Subsequently to the adjournment of that 1876 Legislature, the important so-called "Granger Decisions," were rendered by the Supreme Court of the United States, which declared that each State possessed the sovereign right to regulate freights and fares within its boundaries, and to otherwise control as well as fix charges, for all public transportation agencies, even to Grain Elevators. These decisions were, of course, dissented from by that ever faithful, because regularly and heavily fed, corporation *Attorney-Judge*, Stephen J. Field.

Hence, of all the good work done by the Constitutional Convention, the creation of this Railroad Commission stands pre-eminent.

The next important action is for the people to select the right sort of Commissioners. It is a position of vast responsibility, more so than that of Governor. It even transcends, in importance, should it succeed in fully controlling these corporations, all the State offices combined, including the Courts and our Representatives in Congress, since the Railroad Companies having dominated or successfully defied all these, the people have delegated to such Commissioners the authority to dominate those Companies.

But such authority, provided that the ablest and faithfulest Commissioners shall be selected, can and will be negatived by the next Legislature, should not the popular vote send to such body a majority who will enact such a law as will enable the Commissioners to fulfil their duties.

The determination to entirely ignore certain sections and misconstrue the plainest provisions of others, has been openly proclaimed since adoption of the New Constitution, by various leading plundercratic papers. To this end they will move earth and hell to capture the Governorship, Legislature, Judiciary and Railroad Commission.

"We must capture the judiciary, gentlemen, capture the judiciary!" emphatically exclaimed "Duke" Gwin, in the recent secret "consultation of leading Democrats" held at the Cosmopolitan hotel. Meaning, thereby, venal tools for the Railway Company and other plundercrats.

The great powers lodged in the Chief Justice and the Railroad Commissioners are pronouncedly the Anti-New Constitutionists to be dangerous and unrepublican. I claim them to be eminently safe, conservative and republican. Elect the right sort of men to these positions and the weighty responsibility devolving upon them will all the more impel them to do their duty. This is in accordance with the natural law of our being as fully attested by many historical examples.

When the Plebeians of Rome had extorted from the Patricians an equal share in the government, the former elected two Tribunes who were clothed with the prerogative to examine all the laws framed by the Patricians and sanction only such as were deemed by them to be just ; their veto rejecting the others. These Tribunes long faithfully fulfilled this responsible function. In truth, it is questionable whether the Roman people rendered their liberties more secure or had better laws by subsequently increasing the Tribunate to three and again to ten. Twice when the Roman Republic was torn by intestine factions and, at the same time, imperiled by outside enemies, was Cincinnatus called to take, solely, the helm of affairs, and wisely and well did he steer the ship of State from off its endangering leeshore and breakers position. And these temporary Dictators were frequently so chosen, nearly all whom faithfully and well performed their great trust.

The State of Pennsylvania, which has suffered so much disgrace and injury by reason of the corruption of its Legislatures, sought to correct this by increasing the number of its members ; but recent developments demonstrate that the present numerous body is as corrupt and has passed as improper laws as any of its predecessors.

D.

NEWSPAPER POWER AND PERFIDY.

The time has passed for any newspaper in California, of the existing regime, to longer wield power. If the corrupt old politicians are to be thrown overboard, ought not these corrupt papers also ?

The public are awakening to a realizing sense of the infamy of both. These papers are too much permeated with every species of falshood; have been guilty of upholding too much rascality for one of them to be trusted as an exponent, adviser or leader in a reformatory movement. Moreover, all of them, in this city, *including the Agricultural Journals*, are supporters of the *bourgeoisie* or non-producing class, and, hence, are not to be trusted as supporters of the producing. How can the farmers of the State longer subscribe to such agricultural journals, after antagonizing themselves to the producing element, as they did during the recent Constitutional canvass?

How, then, can any citizen in California, who is earnestly seeking a radical change in affairs, place confidence in, much less submit to the lead and advisings of such a journal as the *Chronicle;* the most infamous sheet ever published west of the Rocky Mountains, or east, either.

It is an erroneous idea that its advocacy of the New Constitution secured a victory for such side, or added a vote to the majority given. That victory was decreed in the book of fate, and would have been achieved, had every newspaper in the State been on the other side.

The *Chronicle* happened to get on the victorious side, because, for some time previously, it had been at war with the plundercrats for refusing to longer pay its exorbitant blackmail or subsidy demandings, and because scenting success on the affirmative of the constitutional issue.

If the newspapers had carried any weight in the recent campaign, then ought the Constitution to have been overwhelmingly defeated, since there were ten times more of them circulated on such side than the opposite. And how came the Workingmen's Party to receive a majority vote in this city last June and elect twenty delegates outside of it, with all the papers in the State strongly opposing it?

The only good the *Chronicle's* advocacy of the instrument did, was to arouse a fiercer conflict, and induce the various classes of society and the leading men of the State, to come out and exhibit their true colors. For this reason, I am glad the paper made such an able and aggressive fight upon our side; but I have no thanks to return it, because it was prompted to, and animated in such contest, by no spark of patriotism nor honesty of purpose.

It vexes and grieves me deeply to see so many talented and honorable citizens committing political suicide, at least, greatly damaging their reputation, by suffering themselves to be wheedled, humbugged and used, for their purposes, by the disreputable proprietors of that infamous journal.

E.

THE SWORD OF DAMOCLES—A CRETAN CUSTOM.

The figurative sword of Damocles should always be suspended over the heads of those in office; the good will not object nor fear its falling, whilst the bad will be deterred from doing wrong. But a literal sword must, occasionally, be made to descend and chop off some guilty heads, else 'twill lose its terrorum efficacy. Had the American people adopted that portion of the unwritten constitution or custom of ancient Crete, where once in twenty years the laws were suspended for the space of three days, when every strongly suspected malfeasant official or ex-official, who could not be proved guilty through regular processes of the law, was banished, hung or deprived of office, we should have had greater fidelity in our public servants, and preserved more purity among the people, as did such conserving custom in Crete.

Why not now inaugurate, at the beginning of this *bouleversement* era, such custom in California? For example, let those generally believed (except by the *Chronicle* and its attorney, Aleck Campbell) guilty judges of the Supreme Court, be flayed, and their skins fastened over five of the new judicial seats. The sixth should be covered with the flayed hide of that notoriously corrupt Ex-Chief Justice S. C. Hastings, and ever since leaving the Bench its leading "Broker." There are so many to choose from, deserving to cover the seventh, that I leave the public to name the fitest. That arch-*judicial jesuit*, the corruptest judge among them all, and who has done such infinite injury to California, and ruined such numbers by his villainously false decisions, U. S. Supreme Court Justice Stephen J. Field, might be named; but that the Persian Monarch's warning plan may be adopted soon by the whole American people, for benefit of their *Federal* judiciary, when the cuticle from the foul carcass of Field will be wanted for use in the Washington Capitol.

F.

PLUTUISM vs. NIHILISM.

Our plundering plutocrats and their pensioned parvenus and puppets are proving their sympathy with all forms of oppression by denouncing the efforts of the Russian people to free themselves from the horrid tyranny exercised by the government in that country. The bloody ukases of their Emperor, and ruthless execution of them by his military satraps, against which many in all ranks of society, including some Noblemen, are revolting—are sanctioned by these Plutus-plundercrats of ours, when sneeringly denouncing the new Constitution supporters as Nihilists—the term by which the liberty-struggling Russians are denominated. In truth, the dynasty of these base-blooded *nouveau riche*, in America, is more despicable than that of Russia or any country on the globe; and they are everywhere demanding, like the Czar of Russia, that the strong arm of *force* shall be applied to repress the people's effort at reform.

G.

THE NEW NON-PARTISAN DODGE.

For ten years California has been under a sort of duumvirate rule—that of Leland Stanford and Wm. M. Gwin. The two old political parties in the State, during such period, have been manipulated as catspaws to subserve their purpose, and that of their co-operating and sustaining plundercrats.

Their recently arranged scheme for duping the public again and defeating any New Party, is to rally all of their liege retainers around a so-called "Republican" ticket. To this end the assembling of the Democratic State Convention, has, at the instance of the Duumvirs, been postponed to the 1st of July, when a sham ticket *may* be put forth, but the vote of all the obedient asses and knaves of such rump party will be privately instructed to sustain the Republican nominees.

I hope my prediction as to this programme will prove correct as it will finally squelch the bastard Democratic party in California. But whether any shall cast a vote for a candidate put forth under the name and guise of Republican or Democratic I wish once more to say that such candidate cannot be otherwise than a supporter of the old plundercratic regime. None other can receive a nomination from the Conventions of those parties.

H.

STATE RIGHTS.

There are two pledges that voters in September should exact from candidates for the Legislature ; notwithstanding I am opposed to the custom of pledging candidates for any office.

1st. That under the Constitutional clause taxing Bonds, those of the United States Government shall be included. If Congress had the right to exempt these Bonds from Federal taxation—which I deny—it had no authority to say a State shall not tax those held by its citizens or residents. The Legislature should so declare.

2d. The Legislature should also declare the sovereign right of a State to prohibit the introduction into it of any people deemed by it prejudicial to its welfare, and pass a law to prevent the coming into it of the same.

I.

EMPTY BELLY ENLIGHTENMENT.

The mercenary penman of the plundercrats adduce all sorts of sophistical and ingenious arguments and lying charges to prove their opponents in the wrong. But against their bald assertions, personal denunciations, fine-spun theories and fanciful economic problems, which they work out so satisfactorily to themselves, on paper, I set the mother wit, instinctive convictions and empty bellies of the masses. Let these writers and talkers keep on trying to prove that a stone is a piece of bread. "The proof of the pudding is in eating it."

J.

NON-RESIDENT REPRESENTATION.

As the new Constitution relegates to the respective counties all their local legislation there is no longer reason why voters, in any county shall not, if preferring, elect a non-resident to represent them in the Legislature. This system works well in Europe, securing a higher order of talent and often faithfuller exponents of the views of the majority in the voting district. Let us adopt such system in California. If the suffragans in Siskiyou desire to send a representative to the Legislature whose residence is in Sacramento, San Francisco, or Los Angeles, let them elect such. Also, if desiring, elect any of their county officers in the same way, after ascertaining whether such persons will remove to their county and officiate if elected.

It may be that some of the counties which gave large majorities for the new Constitution will be compelled to vote for some non-residents for their Superior Judges, else choose resident Attorneys who antagonized such majority by opposing that instrument and otherwise proved themselves upholders of the old plundercratic dynasty. I suggested this new feature of election some years ago, but nobody would hearken to it then.

K.

SUICIDING OFFICIALS.

The guilty San Francisco officials are suiciding so rapidly (appalled and crazed at the detection and the fear of detection of their criminal practices) that none such may be left to receive their just deserts at the hand of the law when the day of reckoning shall have arrived.

It was less the exposures being made regarding the villainy of the Dupont street widening that dethroned the reason of Commissioner Maynard and impelled him to self-destruction than dread of the revelations to be made, erewhile, of the immeasurably greater juggling villainy perpetrated by the Water Supply Commission. Bryant and Murphy, of that Commission, will not go crazy nor suicide, because having no conscience left to be compuncted nor care for self or family disgrace.

These two worthies will await to learn whether the September election shall decree the instalment in office of a class of men who will do their duty in exposing and punishing the many and huge crimes committed by existing and ex-officials, when they will, along with scores of others, flee from the wrath to come. And come it will soon should such order of public servants then be selected. Nemesian compensation awaits these rascals.

California's thirty years saturnalia of official misrule and corruption is about to end—*Laus Deo!*

L.

THE VENAL *EXAMINER'S* LATEST EFFORT TO DISHONESTLY SERVE ITS MASTERS.

The Los Angeles *Herald*—one of Stanford & Co's subsidized organs, having, as a forlorn hope, suggested that the New Constitution might be construed so as to keep in place the twenty hold-over senators (fifteen or more of them being in the pay and service of the C. P. R. R. Company, the Spring Valley Water Company and other swindling corporations) the *Examiner* eagerly grasped at this straw and, with palpable insincerity stamped in its editorial, essayed to raise a doubt as to the clear reading of the letter of the Constitution and well-known intention of the members of the Convention, to get such construction placed upon the Section as would retain those corrupt senators.

M.

MEN OF SUBSTANCE.

The *Chronicle* calls upon its embryotic party, for which it acts as midwife and dry nurse, to send only men of "substance" as delegates to their State Convention. Here is the plundercratic idea indorsed of having none but men of property—the richer the higher ranked—to run the government; and they commence, at once, to practice upon this idea by choosing Marion Biggs, the great Butte county land monopolist, as Chairman of their State Executive Committee, and John H. Burke its Secretary. Burke is one of the *Chronicle* editors and a man of vast *prospective* "substance," having a $34,000,000 suit in Court against the bonanza Barons.

The fact is, that whilst many of the best citizens in the interior of the State are joining the "New Constitution Party," it will, under the incubation of the buzzard-hawk *Chronicle*, hatch out nothing good. The signs, at present, are indicating that numbers of the old straightout Democrats, who voted against the Constitution, are about making overtures to connubiate with the *Chronicle's* bastard bantling. Let the farmers and others interior repudiate the *Chronicle*, and then a harmonious co-operation can be had with the Workingmen's organization.

N.

FALLING BETWEEN THREE STOOLS.

The *Chronicle*, like others, "whose vaulting ambition o'erleaps itself," essayed to stand on three stools at the same time. Mounting the Workingmen's party, for a start, it next managed to draw alongside the great agricultural element as a second tool. Straddling these, it then bulldosed the hostile *bourgeoisie* of San Francisco into being a third stool for this striding Colossus to sceptre from. But just when imagining its tripod throne secure, the stools separate, and down will tumble this too ambitious aspirant.

O.

CAMPBELL'S PUFFERY OF THE JUDGES.

It is noticeable that the *Chronicle*, during the recent campaign, had nothing to say against our notoriously corrupt Supreme Court Judges. It has suggested Judge Rhodes as a candidate on the Republican ticket for Governor, and, doubtless, would like to see several of the others again placed on the Bench they have so much befouled. The night the *Chronicle's* standing attorney, Aleck Campbell, delivered his speech in Platt's Hall, he loftily eulogized three of them—Wallace, McKinstry and Crockett—as honorable, high-toned and intelligent jurists; but who vouches for Campbell.

P.

SACKING THE ENEMY'S CAMP.

The action of the piebald "New Constitution Party" leaders, in proprosing to make one more combined assault upon the plundercratic forces merely to disperse them, secure the offices, and then break ranks, is like a freebooting army of allied mercenaries, which, having routed the enemy, stop short in their career of victory to pillage the captured camp, divide the spoils and then disband.

A THIRD PRESIDENTIAL PARTY.

The signs indicate that a third Presidential ticket will be nominated next year, founded chiefly on the leading issue joined in this State—the producing against the non-producing classes. In such event will not an appropriate name for the new party be—THE PRODUCTIVE. And who superior to GEORGE W. JULIAN, of Indiana, for its nominee ? I am in favor of the formation of such party, Julian being my first choice for its Presidential candidate, and Wade Hampton, of South Carolina, its Vice-Presidential.

Q.

BENNETT, HOWARD AND TERRY.

In my discourse I highly eulogized these eminent citizens, and suggested them as the worthiest to occupy seats on the Supreme Court bench. At that time this opinion was applauded by all the supporters of the new Constitution. The character of those men has undergone no change since. They are still the same able lawyers, polished scholars and honorable gentlemen. Why, then, should not every voter opposed to the existing villainous order of affairs in California cast a ballot for them, whether nominated by the Workingmen's party or the "New Constitution" party ? I intend to do so, and thousands, like myself, are determined to cut loose from the trammels of all parties and party conventions and vote their first preferences This is the only way to compel the nomination of proper candidates. Should the Workingmen's Conventions—State and county—place exceptionable nominees on their tickets, as the result of secret clique scheming or one-man dictation, let them be at once repudiated, and let a few earnest and sensible men meet, consult and place before the public better ones.

I have named the three gentlemen at the head of this chapter in the order of my estimate of their ability.

Bennett and Howard are the ripest scholars on the Pacific Coast. As ardent students to-day as they have been all their lives, they have acquired a fullness of reading—digesting what they have read —surpassed by few in America. As a jurisconsult, Bennett has never had his superior, if equal, in the State. Moreover, he is in full sympathy with the great reform movement now commencing. The plundercrats would rather have any man in the State on that Bench than him. The vulgar and vindictive assailment of these unpurchasable citizens, by the entire pack of plundercratic organs, should counsel their selection by the Workingmen's Convention.

That Howard and Terry committed a political blunder in associating themselves so intimately with the *Chronicle* since the 7th of May, and thereby antagonized a portion of the Workingmen's party to them, is true. But this should be overlooked, since the good of the Commonwealth demands that such men shall be placed upon that Supreme tribunal. Who are their superiors for the station ?

When the Plebeians of Rome had secured their proper share in the government, they made their first selection of Tribunes, and, generally, the same subsequently from the Patrician ranks—choosing such from that few who had always sympathized with them in their oppressions, and who had proved themselves more competent for such station than any in the Plebeian ranks.

Let the Workingmen imitate their example by nominating such Patricians as Bennett, Howard and Terry—Patricians by virtue of their intrinsic merit—their high moral and intellectual qualities.

R.

KEARNEY AND KEARNEYISM.

The efforts of the plundercrats to prove Denis Kearney both fool and knave, and thereby break up the Workingmen's Party, is manifestation of profound ignorance on their part, as to the character of the movement. If Kearney, as they allege, has nearly run his race, it but proves he has fulfilled the part allotted to him in the providential ordering of affairs. Let him pass away; yet this great upheaving popular tide of discontent, and the loud demand of change for the better, will surge onward with increasing momentum. Other leaders will be selected who can better personify the hopes and aspirations, and more surely lead to victory this multitudinous throng.

The character of the ticket presently to be made up, will demonstrate whether Kearney and his advisers are longer fit to head such movement. Kearney may be extinguished soon, but, so-called, Kearneyism, as sneeringly denominated, which is a vital force in society, will go on conquering and to conquer by whatsoever name it may be known.

S.

COUNSELING, HOROSCOPING AND HOPING.

I end this lenghty olio *brochure* by republishing the addendum to a pamphlet-published

"*Letter to JNO. A. EAGAN, Secretary of the Amador Miner's League;*" *dated* "*San Francisco, August* 12*th*, 1871," and preface the same with a few more words:

The letter was drawn forth as a denunciatory protest against the pusillanimous subserviency of Governor Haight, at the behests of certain capitalists of this city, in suddenly ordering Col. Barnes and his regiment to proceed to Amador County, to quell certain reported disturbances of miners on a wage strike. The extract, including my peculiar syle of signature, and the short foot-note, are copied verbatum.

All hail! the advent of this foreshadowed approximating storm era. Better that holicausts of human victims be sacrificed than that the present grossly demoralized condition of affairs in our land shall continue. Let the race of pigmies, who have been so long misruling, be cast aside, and giant MEN be chosen to take their places. Hail!

all hail! the glorious revolution which is destined to accomplish this great and good result, bloody though it may be. It is an event I have long been hoping for, praying for and predicting. For many years, the Devil or spirit of evil, has prompted the people to choose their leaders; hencesoon, God, or the spirit of good, will inspire them to such action.

(Extract.)

ADDENDUM.

The foregoing document is only addressed to the Amador Miners' League, because of the recent prominency gained by its semi-revolting against associated and co-operating Capital. This counter organizing and co- operating of Numbers and Necessity, against associated Capital and Cunning, is going on all over Christendom, and destined soon to be the all-absorbing issue of the age. That any peaceful settlement of the conflict can be brought about, is not for a moment entertained by me or any one possessing the smallest knowledge of history and the nature of man.

That the struggle for the mastery, will be a fierce and bloody one, must be apparent to all who reflect upon the unscrupulous selfishness and power of Capital, and the command it has over modern politicians and office-holders—especially in a Republic; and the ability and willingness to employ a hireling soldiery to execute the unjust and venal laws its bribes secure the passage of and decidement in their favor.

Therefore, let all who would array themselves against this poisoning and impoverishing robber rule of Wealth, be up and doing. Organize yourselves into Associations, Councils, Leagues and Clubs, military and otherwise; let there be an universal concertment between these, throughout all countries. Here in our, at present, falsely boasted land of liberty, has this soulless and decivilizing rule of the vulgar and unprincipled wealthy, had, for near the third of a century (increasing yearly its power), a more absolute sway than in any country upon the globe. Only our sparse population, wide area of virgin soil† and unparalleled resources, have prevented, long since, a subvertment of such direful dominancy.

Who will be the victors in the approaching contest, can well be prophecied by him who, having faith in the ultimate triumph of truth, comprehends the might of moral forces over the mere material; and notices that the noblest intellects and characters—the men of PRINCIPLE—are everywhere articulating fearlessly in defense of the misgoverned and defrauded masses.

CHARLES EDWARD PICKETT,
For thirty years an unawed, uncompromising and continuous assailant of the exploiting Moneycracy, and their co-operating congeners, the trafficing Politicians.

---

‡The only virgin soil of this vast estate, now left for pioneer pre-emptors, consists of sterile plains and mountain steeps; the lordly favored monopolists having appropriated the remainder.

A Strange Meeting

OF

Three California Millionaires.

PRICE TEN CENTS.

THE
SAN FRANCISCO NEWS COMPANY,
413 and 415 Washington Street, below Sansome.
1880.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

A Strange Meeting

OF

Three California Millionaires.

SUPPOSED TO HAVE BEEN FOUND AMONG THE PAPERS OF AN ANTIQUARIAN IN THE YEAR 1978.

THERE were strange things taking place in those days of 1878, in the State of California. In place of "flush times," there was a cry of "hard times;" men seemed careworn, worried, and unhappy; families were moving hither and thither; farms were for sale; houses and stores were to rent; wealth seemed centering in few hands, while poverty was increasing; corporations ruled with an iron hand; fraud and corruption abounded in the public offices; depositors in Savings Banks were robbed of their "little all," and the genteel robbers went unpunished; the Chinese flooded the land, and found their way into most of the houses as servants, and gradually became familiar with the trades, and soon the shoemakers, tailors, and other crafts were left without employment; girls and boys knew not where to earn their daily bread; a general discontent prevailed among the masses, and meetings were held which, to the thinking minds of that day, gave warning that a volcano was forming, which ere long would deluge the land with lava more potent in its destruction than that of Vesuvius; for, mingled with its horrors, would be the clash of arms and the wild cry of the distressed poor, weary of calling upon Heaven for relief, and determined to right their wrongs or die in the attempt.

This spirit of discontent was specially manifest on national celebrations, when the people assembled to hear addresses on patriotic subjects, and learned that eternal vigilance was the price of liberty. This may account for the fact that on the Fourth of July, 1878, two of the millionaires of California spent the day on the top of Mount Diablo, which, while it is a most secluded spot, being out of the ordinary travel, still commands a view unequalled in extent, variety and grandeur, and would inspire the most degraded soul with lofty aspirations. But these two men were far from being degraded; both had sprung from the people; they had known, in their earlier days, the value of a cent and experienced the pinches of poverty; and while the outside world might deem them harsh and unsympathizing, still they never passed a poor fellow by without a secret wish that it was not so, yet at the same time, as their wealth increased, even this wish seemed less sincere, until, in their pride, they acted as if they thought it was a crime rather than a misfortune to be poor.

"Governor, be seated, and let us now enjoy the quietude of this mountain throne; for if you go on prospering you will indeed be monarch of all you survey; and I am told, in a clear day, one can see no less than one hundred towns from this point, and you know, by the next election, we shall have possession of most of that number."

"General, you may think it strange, but I wish I were a poor boy again, firing crackers, and having a genuine Fourth of July celebration, the way we used to in the village where I was raised. I now seem to hear the noise of the anvil, the beating of the drum, and the cheerful ringing of the village bell, and I do long to be there."

"How can that be, Governor, when you have had such a successful life? Why, what multitudes envy you, and with good reason too! You ought to be the happiest man in Christendom, and yet ofttimes you are the gloomiest. Cheer up!"

"Would that I could, General; but, to be honest with you, I fear I shall never be a truly happy man. There seems to be a gloom hanging over all I possess — over my feelings, my thoughts, my life. I am never free from it; and, what seems more dreadful still, this gloom seems to increase day by day. I would give all I possess to be free from its fearful pall. I must get relief, or I am ruined mentally; and then what value is my great wealth and power?"

"Governor, is it possible that you are thus afflicted? Tell me its cause, and perchance a remedy may be found."

"No, General, no remedy can ever be found. Too many have been made paupers by our crushing ambition to permit me ever again to be light hearted. Only think how we treat our poor employees. We watch them as if thieves; we treat them like dogs. When sick we desert them, as if they were not human, but rather worn-out machines, not fit for service, not worth repairing. Oh, my heart is sick when I think of little ones begging for bread when we are living like princes! and yet I seem not to have the power to do anything. I sometimes fear that this general discontent will make us paupers."

"Nonsense, Governor; much brooding has made you blue. Such a foundation as your fortune rests upon can never crumble during your lifetime."

"It is true I have a grand fortune — all I desire. I have no wish for another cent; but our Vice-President still cries for more. He is not satisfied with the immense profits of our railroad business; he insists on crushing the business houses that protest against our high tariffs; he wants to build hotels. Why, General, you know yourself—you have joined him in closing up the other route to this grand mountain, hoping thereby to help our railroad and crush out a little stage line. Only the other day a poor printer complained to me that our Vice-President had withdrawn all the railroad printing from the different San Francisco printing offices, and given orders to send it to his brother's firm—one that is already wealthy—and if this fact becomes known the Central Pacific will be charged with destroying printing offices as well as stage lines. Such conduct will react against us. His narrow-minded policy will yet cause bloodshed along the Southern Pacific line—for really we can well afford to give the settlers all the land they require; but no, he is determined to claim the pound of flesh, and if blood is shed he is responsible, not I; for I have protested, and still do protest, against driving these poor settlers from their homes; and I will not blame them if they fight; for if you think of it their cause is as just as that of our forefathers, who struck for liberty and their homes in Revolutionary times.

"Another thing that troubles me is that other corporations are following our example, and entering the political field. Of course it is well known by them how we have been able to keep the Congressman from the Second District in office, although he is not wanted by the rank and file of the Republican Party; and it is known, too, how successfully he has worked for our interest, getting the Government to do work on the Oakland harbor, which but adds to our wealth, under the plea of public necessity—so I learn from good authority that it is arranged to send from Alameda County to the Legislature of 1880 two Representatives in the interest of the water companies—the Spring Valley is to send their own attorney, who is a resident of Oakland, and the Oakland Company is to send an attorney who is a thorough bull-dozer—they will be called in history, I fear, the Alameda County Siamese

Water-Dogs. It is strange that professional men will prostitute their talents in such a way; for, in after life, if they ever are candidates for office this sin will be sure to find them out. The result will be that the people will be so disgusted with the presumption of these paid legislators they will repudiate the whole set, and there will be such an uprising of the masses that capital will tremble and flee for safety to other States, and all our chances for special legislation will be lost forever; for as long as we had the field to ourselves we easily secured representatives in all the successful political parties; but in politics, as in domestic life, 'too many cooks spoil the broth,' and the greed of these corporations will soon 'kill the goose that lays the golden eggs.'

"Would to God, General, that our Treasurer had lived! He had similar thoughts to mine, and he had outlined a plan that he promised to disclose to me on his return from Arizona that would have relieved our consciences and improved the condition of the poorer classes in our midst.

"But look, General — what is that figure yonder? It has a familiar look, but it is shadowy in form — it is our Treasurer!

"Governor, be calm; you must be beside yourself; your trembling and your glaring frighten me. Let us return; you make a hell even of this beautiful spot. — By Heavens! you are right; it is the Treasurer. He is about to speak. Listen!

"General, the Governor has need to tremble, and so have you; but listen to my message: My heirs say they find no will; but one was made. While passing over the plains of Arizona it was lost through the car window, and after I discovered the loss I felt it would be easier to make another than search the wild plains; but death came before another was made. Listen to its provisions:

"I made liberal provision for my wife and relatives. The balance was divided:

"1st. To add to the salary of each of the railroad employees for every year of faithful service, and reduce the number of their working hours.

"2d. To provide for their families in case of the death of any of these faithful men.

"3d. To provide a home for the aged, who had spent the best part of their lives in the railroad service.

"Ten thousand dollars was left to each one of the charitable institutions of San Francisco."

Just then a picnic party appeared at the top of the mountain, and this extraordinary meeting abruptly closed.

The three millionaires never met again; for the General was thrown from a horse and died soon after; but the Governor never forgot the lesson of that Fourth of July; for on the records of the Probate Court of San Francisco can be seen his will, and the poor of the city have cause to bless his memory, and thank God that he was made a millionaire. And more — the two widows organized a society for the benefit of the women of California. Those needing work were provided with homes until they found employment; and whoever wronged an innocent girl felt the iron hand of justice, for the ablest lawyers were provided to prosecute the rakes that were far too common in those days; and the present happy condition of the women of California is largely owing to the charitable forethought and exertions of the widows of the three millionaires who held that strange meeting on Mount Diablo July 4th, 1878.

10

VIGO BAY

TREASURE COMPANY.

PROSPECTUS AND NARRATIVE,

EXPLANATORY OF THE SINKING OF THE SPANISH GALLEONS, AND TREASURE ON BOARD, IN THE HARBOR OF VIGO, SPAIN, AND PROJECT FOR ITS RECOVERY.

SAN FRANCISCO;
JOSEPH WINTERBURN & COMPANY, PRINTERS AND ELECTROTYPERS,
No. 417 Clay Street, between Sansome and Battery,
1883.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

VIGO BAY TREASURE COMPANY.

Capital 800,000 Shares, at $1.00 per Share, $800,000.

The object of this Company is to acquire the concession made by the Spanish Government, November, 1882, (and now in the custody of the United States Legation at Madrid,) and to recover the treasure sunk in the Bay of Vigo, Spain, in October, 1702. The undisputed historical facts prove that the treasure galleons were sunk in the Bay, and that they were loaded with gold, silver, precious stones and other valuables, estimated at over

TWENTY-FIVE MILLIONS OF DOLLARS.

in value. There are also hundreds of brass cannon in the galleons and war vessels, which alone will pay the expenses of the expedition. All the attempts that have been made to recover the treasure are well known, and were failures, it can therefore be assumed *it is there yet.*

Col. John E. Gowen (who raised the submerged Russian fleet at Sebastopol) will be Chief Engineer. He has made personal examination, has located many of the galleons, and is positive that by the means he proposes to adopt, he will recover the whole of the treasure in less than a year.

150,000 SHARES

of the Working Capital are now offered for sale at One Dollar per share, full paid and UNASSESSABLE. All subscribers for one hundred shares *or more* will receive, in addition to their stock, bonds of $100 each, entitling them to a return of the full amount subscribed from the first net receipts of the Company. The stockholders, at the above estimate, will realize over Twenty Dollars per share, after deducting the 25 per cent. royalty for Spain.

Application for shares can be made to the Secretary,

DAVID WILDER,
328 Montgomery Street, Room No. 21,
Safe Deposit Building.

Vigo Bay Treasure Company,

800,000 Shares, Par Value, $1.00, $800,000.

INCORPORATED MAY, 1883.

DIRECTORS:

OLIVER ELDRIDGE,
JOHN H. REDINGTON,
HENRY F. TESCHEMACHER,
WILLIAM NORRIS,
HORACE F. CUTTER.

OFFICERS OF THE COMPANY:

President,	OLIVER ELDRIDGE
Treasurer,	JOHN H. REDINGTON
Attorney,	JOHN T. DOYLE
Chief Engineer,	Col. JOHN E. GOWEN
Ass't. Engineer and Co.'s Ag't.,	ALFRED POETT
Secretary,	DAVID WILDER

OFFICE OF THE COMPANY:

SAFE DEPOSIT BUILDING.

ROOM No. 21, - - 328 MONTGOMERY STREET,

SAN FRANCISCO, CALIFORNIA.

The Purpose and Object of this Company is to acquire the concession made by the Spanish Government, and to recover the Treasure contained in the Treasure Galleons, sunk to prevent their being captured by the Anglo-Dutch during the naval engagement in the Bay of Vigo, Spain, October 22d, 1702, estimated at over twenty-five millions of Dollars.

VIGO BAY TREASURE COMPANY.

NARRATIVE AND HISTORICAL FACTS.

It is considered expedient, for the information of those who may desire to investigate the subject with a view to becoming interested in the undertaking, to give, in a concise form, the circumstances under which the treasure became so submerged, and to present such reliable evidence as will tend to demonstrate its present existence and value, and the feasibility of its recovery.

It is a well-known matter of history, that when Spain was at the height of her greatness, her revenue was principally derived from the tribute and treasure received from the Spanish-American possessions, generally known as the Antilles. This treasure came in all forms, such as gold and silver, both in coin and bars; precious stones of the rarest description, and other valuable products peculiar to those countries. As a rule, this treasure was imported annually in vessels constructed specially for the purpose, and known as "Treasure Galleons."

During the war of the Spanish succession, at the close of the seventeenth century, Spain, with all her greatness, had become to a certain extent impoverished, and for this reason the treasure from the Spanish possessions in North and South America, was looked to as a means from which relief could always be obtained.

In the year 1702, Spain and France were allied on the one side, whilst England and Holland were allied on the other side. There had been no importation of treasure from the Spanish-American possessions since the year 1698, for the reason principally, that the galleons were exposed to being intercepted by the Anglo-Dutch fleets; but the requirements of Spain becoming so pressing, and such an immense amount of treasure having accumulated, the Spanish Government applied to the French Government to furnish a fleet of French vessels of war to protect the fleet of Spanish galleons, which were then about to sail from the isthmus of Darien to Spain, with treasure on board. In addition to the public treasure, the mercantile community generally, as also individuals, always availed themselves of the Spanish galleons to ship treasure on private account, which usually quite equalled the government treasure.

Accordingly, in the year 1702, a fleet of these galleons, com posed, as nearly as can be ascertained, of twenty-three vessels, averaging from 400 to 600 tons each, and laden with treasure, left the Spanish-American ports, bound for Cadiz, and convoyed by the French and Spanish fleets—the French vessels alone consisting of 23 line-of-battle ships, which in itself will give some idea of the vast amount of treasure they had to protect. The English Government having been advised of this immense shipment, dispatched an Anglo-Dutch fleet to watch the coast of Spain, with a view of intercepting the galleons which were bound for Cadiz. The Spanish Government succeeded in communicating to the Franco-Spanish fleet the intentions to intercept them, and consequently the galleons, with their convoy, made for the harbor of Vigo, where they safely arrived on the 22d September, 1702.

The Bay of Vigo (see map) is thus constructed: There is the outer bay, and an inner and smaller bay, which is entered by a comparatively narrow channel. This inner bay was protected by forts, though of no great strength. To make themselves more secure, the Spaniards barricaded the entrance to the inner bay (where the fleets were anchored) by a boom. In this position, the Spaniards thought themselves perfectly safe from any attack. They deliberated on the expediency of landing some of the treasure, and were about proceeding to do so, when the officials at Cadiz, claiming the exclusive privilege of dealing with royal treasure, by representations to the authorities at Madrid, induced them to interfere and stop the landing of the treasure.

While this dispute was going on, the Anglo-Dutch fleet, with a large land force on board, appeared off the harbor of Vigo on the 21st October, 1702, and on the following morning entered, and at once commenced an attack, determined at all risks to effect the capture of such a rich prize. The Anglo-Dutch fleet having landed a considerable force, made a dash at the defences which had been erected, and after a very severe struggle succeeded in entering the inner bay. At this juncture, the Spaniards, seeing the probability of losing all their ships, with the treasure, set to work to sink and burn the galleons with the treasure on board, hoping thus at least to prevent their falling into the hands of the Anglo-Dutch. In this way a large number of the galleons with their treasure were sunk, but the Anglo-Dutch fleet succeeded in capturing 9 of the galleons, 4 of which fell into the hands of the English, and the remaining 5 to the Dutch, who, however, were obliged to abandon 2 of their prizes, which were burning, being unable to extinguish the flames.

One of the galleons taken by the English frigate "Monmouth" was lost from striking upon a rock when proceeding out of the entrance of the Bay of Vigo. This galleon, which was called and known as the "Monmouth Prize," was universally conceded to be one of the richest prizes of the entire fleet.

The Anglo-Dutch fleet sailed with their prizes to their respective destinations, and the remaining *seventeen galleons, sunk in the harbor of Vigo with the treasure, have there remained up to the present day.*

Such being a general outline of the circumstances, it is proposed to present actual proof thereof, and to show, as can be established beyond the possibility of a question, by reference to authentic, historical, official, and other data:

First.—The number of galleons, and the vast amount of treasure and other valuables on board.

Second.—That a comparatively small portion only was landed.

Third.—That nothing has been done to disturb the treasure from the position in which it was originally placed; and

Fourth.—That the attempts which have been made to recover the treasure conclusively prove that it still exists, and that the recent improvements in submarine diving armor have made it almost certain to do now what was an engineering impossibility some years ago.

The following, though of comparatively recent date, but giving probably the simplest authentic narrative of the events, is first presented.

In a book published in 1840, at Santiago, by an old navy surgeon of Vigo, a very learned man and great researcher of records, he thus relates the attack by the Anglo-Dutch fleet at Vigo in the year 1702:

"This is without doubt the most memorable attack, on account of the disaster to our rich fleet, from the Antilles, under the command of Don Manuel Velasco. England, knowing that the Spanish squadron, freighted with great riches, had left America bound for Cadiz, despatched a great number of her own and Dutch ships to Cape St. Vincent, with the object of blockading the port and taking our squadron. But the latter, escorted by the French, arrived off Vigo and together entered the port on September 22d, 1702.

"The fleet, having secured itself in the inner harbor formed by the points of Rande and Corbeiro, it was decided to construct a chain of cables and trunks of trees in the form of a boom, to defend the passage, aided by old forts rising on both sides. These forts, other bastions, the ramparts of the town and the shores of the sea were put in a state of defence by soldiers of the marine and the country militia. At the entrance of the port the French vessels, under the command of M. Chateau Renaud, served as a rampart for the fleet. The Captain-General, supported by the municipality, other authorities and the principal men of the country, fearing that the enemy's fleet might take ours, decided to take steps at least to land the money and transport it into the interior. This wise project would have been carried out in a little time, and with advantageous results, if the ambition or the bad judgment of the Commerce of Cadiz, with its pretension of opposing the landing of goods in the Province of Galicia on the pretext that it was against their rights, had not paralyzed the resolution taken to place these precious values in safety.

"Whilst this grave question was being debated in the Council of the Indies, the English squadron approached and on the 22d of October was sighted off the port. Aided by a favorable wind they rapidly bore down, and on the following day effected an entrance. After landing four thousand men, they erected batteries against the forts, which were obliged to yield on account of their poor construction and the weak garrison defending them. Two of their ships, favored by the wind and furnished with iron pickaxes, broke the chains in spite of a heavy fire kept on them from all sides, and the heroic efforts of the French ships who were disputing with them the entrance to the bay. However, the Spanish vessels had withdrawn themselves into the bay as far as possible and were beginning to land the packages, but a considerable number of the enemy, already on shore, occupied the bank on the south side and by a musket-fire prevented this landing. The French being overcome, the enemy's fleet precipitated itself immediately on ours, but animated with the most courageous despair, Velasco had given orders to burn or sink his ships with all their cargoes.

"This memorable battle lasted a day and a half without the least interruption, from the afternoon of the 23d to the night of the 24th. The enemy captured thirteen French and Spanish ships, of which there were seven vessels of war and six galleons, all very badly damaged, and the others were sunk or burnt.

"According to the assertion of the English, the value of their capture amounted to four millions of pieces of eight."

Sir Roger Fenton, Baronet, in his inquiry on the fate of the treasure of the year 1702, etc., writes:

"A fleet had already been sent, under the orders of Admiral Coetlogon, but in consequence of the immense value of the cargoes, a greater force, under the Count de Chateau Renaud, had been dispatched. Queen Anne, having learned of this departure, had sent to sea a second squadron of twenty-seven vessels, under Sir Cloudesley Shovel, to intercept them."

The English official report states:

"Thirty-seven or thirty-eight ships of every kind were reckoned—not one escaped—all were taken or destroyed; there were seventeen galleons."

Father Daniel, in his history of France, gives the number of galleons as twenty-four.

The following is a list of twenty out of the twenty-three galleons, with their names, commanders and armament:

Galleons.	*Commanders.*	*Guns.*
Almirante	Manuel de Velasco, Admiral.	44
La Buffoona	Joseph Checon, Vice-Admiral,	54
La Capitana d'Assogas.	Fernando Checon	54
Santo-Crosto de Buenviaje	Francisco Blanco.	36
La Santa Cruz	Alonzo Iparrere	36
Nuestra Señora de Merced	Antonio Monteagudo	30
Nuestra Señora de las Mercedes	Francisco Barragon.	12
Felipe Quinto	artin	8

Galleons.	*Commanders.*	*Guns.*
La Sacra Familla	Bernardo Veira	12
Santo Domingo	Ignacio Acanohuette	30
Santo-Cristo de Maracaja	Viscenti Alvarez	46
El Toro	Noguerra	26
L'Adjuan Bexta		50
Nuestra Señora de las Animas		44
Nuestra Señora de las Angustias	Miguel Cane	24
San Diego	Juan Diego	12
Nuestra Señora de los Dolores	Antonio Gomez de Uliza	31
La Trinidad		
San Juan Baptista	Alonzo Lopez	
El Tambor		

Davie's history of Holland says:

"In the destruction of the silver fleet in the harbor of Vigo but a comparatively small share of the booty fell into the hands of the victors, the French commander, Chateau Renaud, having caused the greater part of the vessels to be fired; while the principal loss was sustained by the Dutch merchants, to whom belonged a considerable portion of the property in the fleet, they being accustomed to carry on an extensive trade with America under the Spanish name and colors."

The English called each galleon captured by the name of the vessel taking it. As already mentioned. four prizes fell into the hands of the English, viz.: "The prize of the Mary," "The prize of the Somerset," the "Santa Cruz," and the fourth, "The prize of the Monmouth."

Boyer, in his work, in estimating the amount of treasure in the galleons of 1702, says:

"Twenty millions of pieces of eight in gold and silver, and twenty other millions in merchandise, besides a great quantity of silver and other rich plate belonging to private persons, were contained in the galleons. As regards the treasure belonging to private persons, it is a well known fact that they resorted to every expedient to avoid paying duty on it, and, with this view, concealed the treasure in every possible mode."

Victor Gebhard and Modesto Lafuente, whilst not giving any actual figures of the amount of treasure sunk in the galleons, say:

"An immense wealth in gold, in silver and in merchandise, was engulfed."

We read in the *English Post* of the 5th of November, 1702: "A great quantity of gold and silver has been found in vases of cochineal, brought from Vigo; the Spaniards must have hid it in them to escape paying the duty."

From the foregoing statements it will be seen, that, though there is, as must necessarily have been the case, some diversity among the several authorities upon some points of detail, still, one and all are agreed that never before had so vast an amount of treasure come from the Antilles. Further, we have the undoubted fact that there was an accumulation of four years, and also that the fleet of galleons laden with treasure consisted of about twenty-three vessels. There is also the statement of Boyer, which is confirmed by all historians, "that the Spanish fleet was universally regarded as the richest that had ever come to Europe from the Antilles."

Beyond all this, we have distinct and authentic data, from which a very fair and reasonable inference may be drawn, of the value of the treasure in the galleons of 1702. In a letter from Mr. Stanhope, the English Ambassador at Madrid, written to Mr. Yard and dated the 11th June, 1698, he writes as follows: "Eight galleons of this year's fleet arrived safe at Cadiz. The Vice-Admiral and four others are still wanting. If all arrive safely, they bring thirty millions of pieces of eight, which are registered; and, besides this, we must always reckon at least as much again coming from private parties."

It will be observed that in this letter of Mr. Stanhope the amount of thirty millions of pieces of eight are stated to have been "registered," meaning thereby that official documents had been received, certifying to the actual shipment of that quantity on board these thirteen galleons.

The use to be made of these facts, of the value of treasure on board of the thirteen galleons of 1698, and the inference to be drawn therefrom, is, that if only thirteen galleons brought thirty millions of government and fifteen millions of private treasure, making together forty-five millions of pieces of eight, then the twenty-three galleons of 1702 would, in like proportion, bring about eighty millions of pieces of eight.

With all these data before us, and in view of making the most moderate calculation, it is submitted that, at the lowest estimate, the value of the treasure, etc., both public and private, on board the galleons of 1702, may safely be taken at not less than fifty millions of pieces of eight, and taking the piece of eight as the equivalent of a hard silver dollar, would give fifty millions of dollars gold.

The second feature, and one upon which, as will be seen by the foregoing extracts, there is also some difference of opinion amongst the historians and others, is the amount of treasure which was landed from the galleons, between the date of their arrival, on the 22d September, 1702, and the date of the attack by the Anglo-Dutch fleet, the 22d October, 1702. This, which is, doubtless, not an unimportant question, is effectually set at rest by the proclamation of the King of Spain, in which he announced his intention of taking possession, under different pretexts, of "six millions six hundred thousand pieces of eight, saved from the fleet of Vigo." With this authentic and reliable official data before us, it is considered perfectly safe to take the value thus saved at seven millions of pieces of eight, which is more than an average of the various amounts given by the different historians and the authorities.

The next point in the inquiry is the value of the treasure which fell into the possession of the English and the Dutch from the galleons captured by them. It has already been mentioned that one of the richest prizes captured by the British ship "Monmouth," and, consequently, known as the "Monmouth prize," was sunk by striking on a rock whilst being brought out of the harbor with the other prizes, and in proof of which reference may be made to the following authentic statement taken from the diary of the chaplain of the "Monmouth."

"1702, October 25.—Left Vigo. 26th—At Bayona exchanging prisoners. Sir Cloudesley Shovel intended to go through the north channel, but the wind taking him short he was obliged to stand through that which lies to the south, when the galleon Monmouth Prize struck on a sunken rock and immediately foundered, but there being several frigates on each side of her, all the men were saved but two."

There is again some difference in the statements given as to the amount of treasure which fell into the hands of the English and Dutch. The highest estimate is about six million pieces of eight. It is proposed to take this figure as the basis on which to form the safest estimate of the treasure which was submerged.

We thus have—

Estimated value of treasure on board the galleons		$50,000,000
From this deduct—		
Treasure landed	$7,000,000	
Extreme value captured	6,000,000	13,000,000
		$37,000,000

Leaving as the estimated value of treasure submerged *thirty-seven millions* of dollars, gold.

Having thus dealt with the estimates of value of the treasure submerged, the remaining questions to be examined are: What has been done towards recovering the treasure, and does it still exist? The answer to these enquiries may very properly be given by the assertion that, practically, nothing has been done in the shape of recovering any substantial amount of treasure, but that, at the same time, what has been done is abundantly sufficient to establish, beyond the possibility of question, that the galleons with the treasure are still lying submerged in the harbor of Vigo.

Several concessions have been granted by the Spanish Government for the recovery of the treasure. The first serious attempt was made in the year 1825, when one Dickson, an Englishman, experimented, by the use of a diving-bell, upon two of the galleons lying near the shore in comparatively shallow water. Nothing, however, was accomplished, as it was found impossible to obtain any result by the means employed, and it is well recognized that the diving-bell process, which has now been entirely superseded by the submarine armor, was only available where the work could be carried on within the limits of the diving-bell itself—a thing quite out of the question in the recovery of the treasure; hence Dickson's operations were abandoned.

The next attempt was in 1859, by an English engineer, who, having had some experience in searching for sunken vessels, applied for and obtained from the Spanish Government a concession authorizing him to search for and recover the treasure. After much labor and expense, he succeeded in finding two of the galleons, but not being able to obtain sufficient capital to proceed with the operation of raising them, he was obliged to defer carrying out this part of the project. He, however, continued to search for the remaining galleons, and succeeded in locating the position of nine of them, which he marked by buoys.

In this position of matters, and in the year 1869, the concessionaire applied to Col. John E. Gowen, a citizen of the United States, then in Europe, to aid in recovering and raising the treasure. It is almost superfluous here to inquire who Col. Gowen is. His reputation is world-wide, by reason of his extraordinary accomplishment of raising the entire Russian fleet, consisting of seventy-eight vessels of war, with all their armament and outfit, which were sunk by the Russians in the harbor of Sebastopol during the Crimean war, in a depth of water varying from 60 to 83 feet, and several of which vessels, after being submerged seven years, and thus raised by Col. Gowen, were put into and are now in commission in the Russian Navy. Furthermore, Col. Gowen has contributed more than any person ever did, towards perfecting diving apparatus and other appliances for operating upon and raising submerged vessels.

In the early part of 1869, Col. Gowen having been thus applied to by the concessionaire, and being thoroughly satisfied that the raising of the treasure was perfectly feasible, brought the subject before capitalists in England, with a view to obtaining the capital required to undertake the work. Col. Gowen himself, assisted by competent divers, made a personal examination of the Bay of Vigo, to satisfy himself of the existence of the galleons, and their condition, etc. He had no difficulty in locating and examining the position and condition of nine of the galleons, and being satisfied thus far, did not then deem it necessary to prosecute further researches. He made a report of the result of his examination to the capitalists before whom he had laid the subject, who being thoroughly satisfied, not only of the existence of the treasure but that under the supervision of Col. Gowen it could be recovered, formed a company in England and placed the project before the British public, inviting them to subscribe for the capital. The appeal was at once responded to and the required capital was subscribed.

The capital being thus obtained, Col. Gowen proceeded to Vigo to make preliminary arrangements, when it transpired that a question had arisen as to the validity of the concession, and upon close inquiry it appeared that the concession had lapsed by reason of some of its conditions, governing the time within which the work of raising the treasure should have been prosecuted not having been complied with.

This omission was taken advantage of by the Spanish Government in consequence of some French parties having set to work to obtain a fresh concession, and offering the government more favorable terms. Eventually they succeeded in procuring a fresh concession and it therefore became necessary, to the great disappointment of Col. Gowen, to return the capital which had been thus obtained from the British public and for the time being to abandon the project. The French parties, however, applied to Col. Gowen to assist in this undertaking, but he declined, not being satisfied at the time with the manner in which he had lost the concession, and objecting to identify himself with any project in which he could not be sure of having the sole control in the operation of recovering the treasure. At the same time Col. Gowen felt confident that, sooner or later, he would obtain control of the concession, conscious that no other person possessed the knowledge and experience requisite for successfully carrying out the project, and which he had acquired only from years of close study and the practical knowledge he had obtained in carrying out his great undertaking of raising the Russian fleet. These predictions have proved true to the letter, for recently Mr. Stephen P. M. Tasker, (of the firm of Morris, Tasker & Co.,) and other gentlemen of Philadelphia obtained the concession, and made overtures to Col. Gowen, which he met by requiring that the concession should be absolutely placed at his disposal, in return for a certain interest in the capital stock of any company Col. Gowen might form for carrying out the concession. This requirement was acceded to, and Col. Gowen having obtained complete control over the concession, has now made arrangements to transfer it to the present company, reserving to himself and obligating himself to take charge of the operations for recovering the treasure.

This new concession was only completed last November,* and is now in the custody of the United States Legation at Madrid.

One of the reasons why the French Company failed to accomplish any substantial results was, that the breaking out of the Franco-German war seriously interfered with the operations of the company. At the same time they were by no means idle, but accomplished some very important and valuable results, thoroughly confirming the report of Col. Gowen and demonstrating beyond the possibility of question that the treasure is still submerged in the harbor of Vigo. Without entering into elaborate details, it is sufficient here to state that not only has the location of the before-mentioned nine galleons been confirmed, but additional galleons have been discovered and located; and what is of still more, and it may be said of inestimable value, the existence of the treasure has been proved to demonstration, and this by the French having raised a few plates or bars of silver and gold, as well as a variety of other articles of merchandise known to be included in the cargoes of the galleons.

---

*Under the new concession, 25 per cent. of the value of what is recovered will be given to the Spanish Government.

It will be seen by Col. Gowen's supplemental report, that he has satisfied himself by careful researches, that treasure galleons were constructed in a special way to adapt them for carrying treasure, viz: a substantial wooden case was built on the top of and along the entire length of the keelson, into which the treasure was packed and carefully closed up, by which means not only was the treasure utilized as ballast, but it was also placed in a position of safety from being pillaged. The importance of the treasure being thus secured, is, that all probabilities point to the treasure being still safely stowed away in these cases.

Assuming the treasure to be there, the only remaining question is, is there any real difficulty in recovering it? This is best answered by the confident assurances given by Col. Gowen, who does not entertain the least doubt upon the point. If any one is capable of forming a reliable conclusion upon such a subject, he most assuredly is the man, and his reasoning appears conclusive. He asserts that the Russian vessels in the harbor of Sebastopol were submerged in very much deeper water, and enveloped in mud and debris; that the position in which those ships were exposed to the weather and the violent storms of the Black Sea, rendered the operation of raising them far more difficult and expensive than can possibly be the case with the vessels in the harbor of Vigo, which are submerged in a depth of water ranging only from 33 to 50 feet, added to which the harbor of Vigo, where the galleons were submerged, is at all times comparatively smooth water. Having thus presented all the facts and data, it only remains to call attention, in a few words, to the prominent features of the project, and the very great inducements offered.

In the first place, it is established conclusively that the treasure exists, and it is equally clear that the recovery of it is perfectly practicable, with the improved machinery of the present day. The only question upon which any difference of opinion can possibly arise is as to what amount or value of treasure will be recovered. Here, again, it is submitted, that any impartial person, after investigation, must arrive at the conclusion that all probabilities point, under any circumstances, to an extraordinarily large return on the capital embarked. The value of the treasure submerged is demonstrated by the foregoing data, and placed at the lowest possible estimate, *is believed to be not less* than THIRTY-SEVEN MILLION DOLLARS, GOLD. Taking the number of galleons at 17, there would be in each galleon an average value of over two million dollars.

Furthermore, there is the important feature that but little time will elapse before very substantial returns will be realized; for, as will be seen by Col. Gowen's report, he asserts, with the utmost confidence, that within four months after his arrival on the spot, ready to commence operations, he will have recovered the contents of at least three of the galleons.

REPORT OF COLONEL GOWEN.

GENTLEMEN:—I beg most respectfully to submit that in 1869, I visited Vigo accompanied by three divers, and provided with my improved diving apparatus.

The enclosed bay, almost an inland lake, where the Spanish galleons were sunk, one hundred and eighty years ago, is about four miles long by one mile wide; the entrance or communicating canal from the outward harbor is about two hundred yards wide. This little bay is so well protected that the water is quite smooth and work can be carried on nearly the whole year, the climate being so mild that operations may be conducted equally as well in Winter as in Summer.

My divers visited nine of the galleons. They are whole, but are nearly covered by mounds of sand. The ground is so hard that they have not sunk in it to any appreciable extent, but the sand seems to have drifted and settled over them, and thus preserved them from injury. Some portions of each hull are visible above the sand; in four instances the upper decks are whole, and the cargoes apparently intact. This feature, in my opinion, is quite important, as in examining the records at the archives of the government I found a full description together with detailed drawings, showing the mode of construction of the treasure galleons.

There is a massive case built over the keelson of beams of oak timber, twelve inches square, running nearly the entire length of the ship; it is firmly and solidly bolted with two-inch iron bolts running entirely through the floor-timbers. This case is about three feet square inside; there are several ponderous lids heavily strapped with iron connecting with enormous hinges and secured by immense locks. These galleons were loaded above the specie case with logwood, mahogany and other valuable timber, together with general cargo, such as tobacco, ambergris and other products. From all the examination I could make, their cargoes had never been disturbed. This opinion was fully verified by the French, who commenced on one vessel and discharged over thirty cords of wood. They found two pigs of silver, which were probably left in the process of removal when the galleons were sunk. French divers had about half unloaded one galleon when the Franco-German war was declared, and they abandoned the work. They made several overtures to me to furnish them with plans and manage the affair, but I declined dealing with a foreign company, preferring to represent an American company under the protection of my own government.

The galleons lie in water ranging from 33 to 50 feet, with a hard sand bottom. I beg you to remember that I raised and removed seventy-eight vessels of war for the Russian Goverment, sunk in the harbor of Sebastopol during the Crimean war, all of them in much deeper water than the Spanish galleons and with a soft mud bottom. The keels of some of them were submerged twenty-six feet below the bottom in the mud and clay and the ships were in a most exposed position, open to all the storms of the Black Sea, many of them very severe, so much so that I could not operate more than half the time. Therefore, it will very readily be seen that these vessels are comparatively easy to operate upon. In 1852 I removed, under contract with the United States Government, the war-steamer "Missouri" from the bay of Gibraltar. She was more deeply submerged in sand than either of the galleons; she also lay in an exposed part of the harbor, and prior to the commencement of my work no vestige of her was to be seen. I removed her entirely in four months, and the work was far more difficult than the entire recovery of treasure from six of the galleons.

Respecting the galleon called the "Monmouth's" prize, sunk at the entrance of the harbor, I have not the least hesitation in asserting that she can be easily found and her treasure recovered. She is doubtless whole, laying near the southern passage of the outer harbor.

I will venture to say that within four months after the machinery reaches Vigo, I will recover the entire contents of three of the galleons.

I have examined all the data in the archives of the Spanish Government, which were collected by an accomplished Spanish scholar, who had been previously engaged by Mr. Prescott in obtaining historical facts to enable him to compile his historical works. I have no hesitation in giving it as my opinion that there are now more than twenty-five millions of dollars in bullion and precious stones remaining in the galleons submerged in the inner bay of Vigo; and I further assert that, by the means and appliances I propose to adopt, I will recover all of the treasure from the galleons in less than twelve months from the day the expedition reaches Vigo.

I am, gentlemen, yours respectfully,

John E. Gowen.

San Francisco, April 5th, 1883.

For the historical facts the Company also refer to Professor George Davidson, Chief of the United States Pacific Coast Survey, and to Camilo Martin, Esq., Consul for Spain at San Francisco.

For subscription to stock, or any further information, apply to the Secretary, David Wilder.

Office of the Company: No. 21, Safe Deposit Building, 328 Montgomery St., San Francisco.

12

HOMES
AND
HAPPINESS
IN THE
GOLDEN STATE OF CALIFORNIA.

BEING A DESCRIPTION OF THE EMPIRE STATE OF THE PACIFIC COAST: ITS INDUCEMENTS TO NATIVE AND FOREIGN-BORN EMIGRANTS; ITS PRODUCTIVENESS OF SOIL AND ITS PRODUCTIONS; ITS VAST AGRICULTURAL RESOURCES; ITS HEALTHFULNESS OF CLIMATE AND EQUABILITY OF TEMPERATURE; AND MANY OTHER FACTS FOR THE INFORMATION OF THE HOMESEEKER AND TOURIST.

BY MAJOR BEN C. TRUMAN,

Author of "CAMPAIGNING IN TENNESSEE," "THE SOUTH AFTER THE WAR," "SEMI-TROPICAL CALIFORNIA, "OCCIDENTAL SKETCHES," "TOURISTS' ILLUSTRATED GUIDE TO THE CELEBRATED SUMMER AND WINTER RESORTS OF CALIFORNIA," Etc., Etc.

THIRD EDITION.

"Know'st thou the land where the lemon-trees bloom,
Where the gold orange grows in the deep thicket's gloom,
Where a wind ever soft from the blue heaven blows,
And the groves are of laurel, and myrtle, and rose?"

SAN FRANCISCO:
H. S. CROCKER & CO., PRINTERS AND PUBLISHERS.
1885.

CALIFORNIA

ILLUSTRATIONS.

PAGE.

A Vision of the Golden Country 8

Scene in the Mountains of California 10

Lake Tahoe—The Incomparable Gem of the Sierra 15

An Emigrant Family's First Dinner on their New Homestead in California .. 20

Orange Grove and Vineyard in Los Angeles County 25

A Five-year-old Farm in Sacramento County 28

A Specimen Bunch of California Grapes 30

A Specimen Cluster of California Strawberries 32

California Gooseberries 35

California Blackberries 38

A Honey Farm in Los Angeles County 42

Winter Scene in California 48

Winter Weather Elsewhere in the World 49

Sierra Madre Villa—A Model Mountain Home 50

Lower Part of Yosemite Valley 53

A Drive Through One of the Big Trees 55

Hotel Del Monte, Monterey, California 57

Bay of Monterey and Bird's-eye View of the Interior Country 58

Pacific Grove Retreat, near Monterey 60

Paraiso Hot and Cold Springs 61

Twins—The Two Sequoias—Suckers 63

Monarch of the Mountain 71

Pride of the Valley 77

CONTENTS.

PAGE.

Introductory 9

Bird's-eye View of California 13

Information Concerning Lands in California—How to Obtain Them, Etc.. 17

California Agriculturally Considered—The State of all others for the Small Farmer 34

Notes Upon the Climate and Healthfulness of California 46

Health and Pleasure Resorts of California 52

Some Noteworthy Facts for Intending Settlers 62

Advice to Emigrants 87

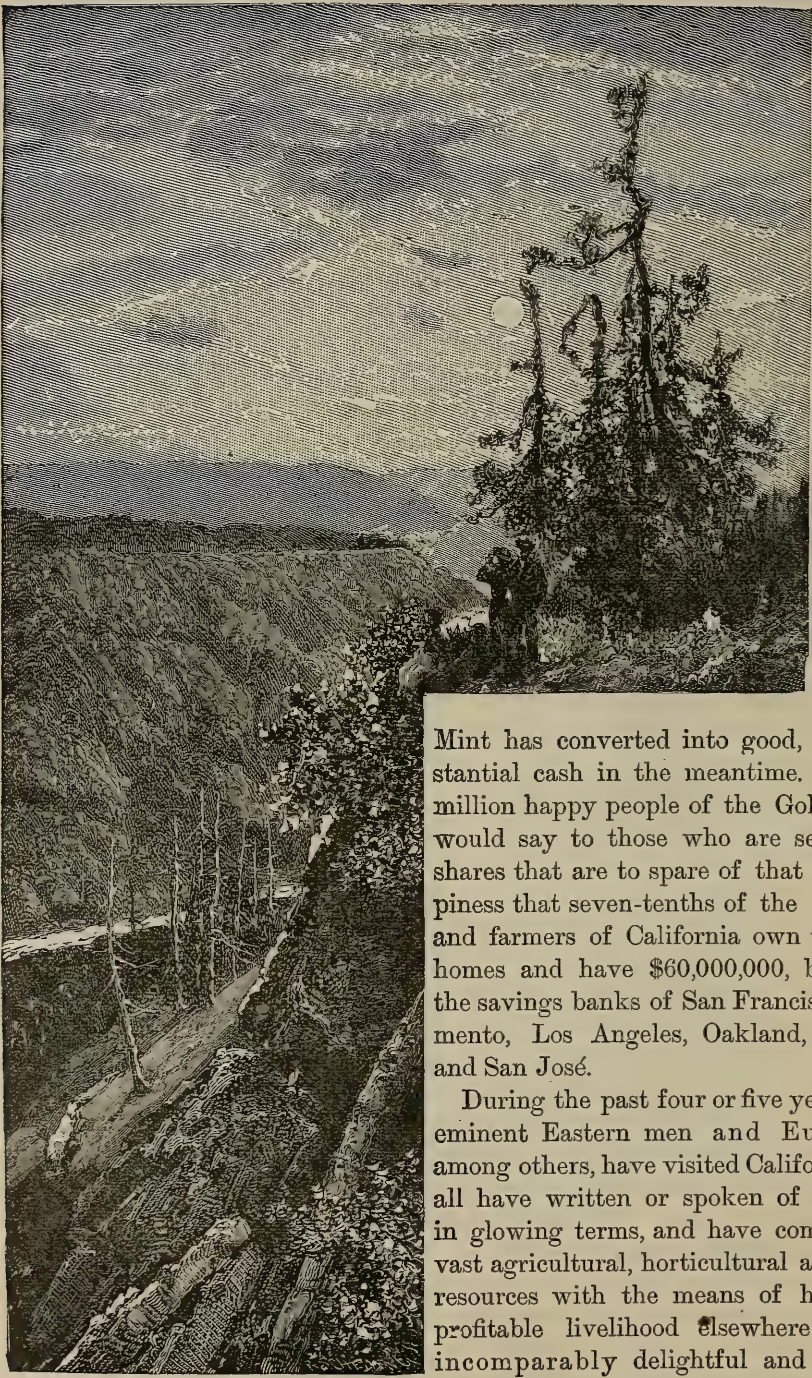
A VISION OF THE GOLDEN COUNTRY.

BY THOMAS MORAN.

INTRODUCTORY.

THIS illustrated volume has been prepared in the interest of two general classes—emigrants, from all sections of the civilized world, seeking for permanent homes in a healthful agricultural country, of the first part, and the people generally of California, of the second part, who are anxious to share their splendid lands and their incomparable climate with other industrial men and women of their own kind from all quarters of the globe. The present inhabitants of California—numbering upwards of one million, and who produced in a new State, in 1882, 32,000,000 bushels of wheat, 9,000,000 bushels of barley, 1,000,000 pounds of beet sugar, 40,000,000 pounds of wool, 2,000,000 pounds of honey, 10,000,000 gallons of wine, $17,645,000 in gold and silver, and 50,820 flasks of quicksilver—want to say, to another million of English, Irish, Scotch, Welsh, French, German, Spanish, Portuguese, Italian, Russian, Swedish, Norwegian, Canadian, New England, Western and Southern men and women, and to all others not especially enumerated in the foregoing (who wish to better their general condition), that they want another million—and still another, indeed, in as short a time as possible—to come right straight to California and make homes and farms under the fairest skies on God's footstool—where there are no serious extremes of climate and no excess of moisture; where fruits, vegetables and flowers grow to perfection the year round; where the present supply of all the productions of a prodigal soil is unable to met the demand; where there is perfect freedom of thought, speech and religious exercise; where churches and free schools dot the country o'er; where there are homesteads and other humanitarian laws, and where the laws which govern the rich and the poor were made greatly in the interest of the poor by the poor themselves; where, indeed, any man may actually live under his own vine and fig tree—and where no human being has ever been injured by blizzard, tornado, lightning, or rays of the sun. This cannot be truthfully said of any other country upon the face of the earth. The object of this book, unlike many others, is not to deceive, nor even to allure. The writer was instructed to *state facts and facts only;* and the committee appointed to inspect the manuscript previous to its use for this publication discovered in it nowhere any deviations from truths in any particular.

The one million of happy and prosperous people of California—who, beside living like princes, compared with any other aggregated lot anywhere in the world, exported wheat, wine, wool, brandy, honey, and fresh and canned fruits and vegetables by sea, alone, in 1882, to the value of $66,135,732—are so fully conscious of the mutual advantages to be derived from adding another million of the bone and sinew of Europe and America to their present population, that they take this occasion of setting forth what is possible for a State to do in the future that in twenty-five years past has sent out to other parts of the world 168,-



SCENE IN THE MOUNTAINS OF CALIFORNIA.

131,980 centals of wheat and flour, 300,000,000 gallons of brandy and wine, 700,500,000 lbs. of wool, and taken from its mines $2,016,665,000,—$709,128,750 of which the San Francisco Mint has converted into good, hard substantial cash in the meantime. The one million happy people of the Golden State would say to those who are seeking for shares that are to spare of that same happiness that seven-tenths of the mechanics and farmers of California own their own homes and have $60,000,000, besides, in the savings banks of San Francisco, Sacramento, Los Angeles, Oakland, Stockton and San José.

During the past four or five years, many eminent Eastern men and Europeans, among others, have visited California; and all have written or spoken of the State in glowing terms, and have compared its vast agricultural, horticultural and timber resources with the means of happy and profitable livelihood elsewhere; and its incomparably delightful and healthful climate with that where the freshet and the tornado and the hot wave annually engulfs its countless thousands. Not long since the Vice-President of the United States visited California, and declared upon his return home that what he "had seen in that State *was a new revelation ever to be remembered.*" Mr. Dana, of the New York *Sun*, early in 1883, made a flying trip through the Golden State, and declared that "the half had not been told." A recent letter in the Boston *Commercial Bulletin* thus emphasizes the views of the writer, which accord with those of other correspondents of Eastern and European newspapers:

"California, like a young giant bathing his feet in the Pacific, now no longer feels isolated since it is in close communication with the States east of the 'Rockies.' The westward course of empire, and all that term implies, has been so rapidly settling up the immense tracts of territory between the Mississippi River and the Sierra, until now, wave like, it is beating hard against its eastern confines; California is feeling the warm impulses of that westward growth. California, like Minerva, was born fully grown, but without the experience that characterizes the older and more successful and more substantial States. A quarter of a century ago California reminded us of the fabled wonder of some glowing oriental myth where cities spring up in a day from a golden soil. California has before it that great ocean, the long-sought highway to the Indies, forming the last link in the belt of civilized enterprise which now clasps the world, and across from whose shores the American citizen can gaze upon the oldest civilization. California to-day has a great and glorious prospect before it. The State has of late years entered upon new conditions, perforce the result of passing through a transition period, aided by its now relative nearness to the 'States' and its new peopling. As the star of empire shines for all, we are not sure but that California, with agriculture instead of gold as the basis of its future prosperity; with new and practical elements in its rapidly increasing population instead of a code of laws that recognizes speculation as the chief industry, as was the case in its early days; with new and fresh aspirations permeating its society of all classes; with a general disposition to live for the future and a name, taking advantage of all its blessings — blessings that are resultant of phenomenal effects — *gold, wheat, and the grape* being the tripodal factor of its future greatness; we are not sure that it may not be said of California —

'Lo! I uncover the land,
Which I hid of old in the west,
As the sculptor uncovers the statue
When he has wrought his best.'

California expects much from the completed Southern Pacific Railway, believing that it reaches the resident of the south of Europe with one hand and will land him in Southern California with the other; and we hear that said railroad company are making extensive preparations to let the people of the wine-growing countries of Europe know precisely what they can do in that State. The European fruit-grower finds all his acquired knowledge useful in California, with a much more extended opportunity for its use. In addition to all this, the Central Pacific Railroad Company, which has been of so much advantage to the growth of California, has of late adopted a still more liberal policy than ever towards the producers and shippers there, in the way of transportation charges, besides *offering unusual inducements to emigrants.* An organized effort is being made to attract the attention of the emigrant towards California. Indeed, a comparatively large new population has been added to the State during the past six months; and the promoters of the scheme, coupled with the efforts of the Emigration Commissioners of the State, now have every reason to expect a large augmentation of brawn and brain to the State right steadily from this time on. The cutting up of the large ranches there into small farms at reasonable prices; the healthfulness of the climate; the certain market for its many productions; the new order of society there, and its nearness to the States by reason of the new and additional means of railroad communication — it seems to us are sufficient to make California a great commonwealth in the near future as it is to-day the phenomena of the country in its various products."

Undoubtedly California is to-day the most prosperous State in the American Union, and offers by far the best inducements to settlers, either with or without capital or money. If only they are disposed to be industrious and frugal, and to work for a living, a competency in a few years is assured. The laboring classes in California have more money in the savings banks, according to their numbers, than the same classes have in any other State in the world; and, on account of the very favorable climate and fertile soil, the farmers of California secure an average annual income more than three times as great as the average annual income of the farmers in any other State in the United States. Careful, prudent and enterprising business men, as well as farmers, always succeed in California. There are more young business men of great wealth in California, in proportion to the whole number engaged in business in the State, than can be found in any other country in the world. Therefore, a cordial and general invitation is extended to all well-disposed, industrious people, who desire to better their conditions in life, to come to California and help to settle up her vast territory and make for themselves comfortable and happy homes — to dwell under their own vines and fig trees — not only in the land of *promise,* but in the land of real *fruition.*

BIRD'S EYE VIEW OF CALIFORNIA.

OUR Golden State is an empire in size and importance, and lies between latitude 32° 20′ and 42° north, and longitude 114° 20′ and 124° 25′ west. It is bounded on the north by the State of Oregon, east by the State of Nevada and the Territory of Arizona, south by Mexico, and west by the Pacific Ocean. It was settled by the Spanish in 1769, ceded to the United States by Mexico in 1848, and admitted to the Union as one of the United States in 1850. California is seven hundred and sixty-nine miles in length from northwest to southeast, and has a breadth in some places of nearly three hundred and thirty-two miles — being four times as large as the State of New York, and one hundred and forty-three times larger than the State of Rhode Island. It is nearly as large as France, twice the size of Italy, four times as large as Cuba, and much larger than Great Britain and Ireland. The area in miles is 188,911, or 120,947,840 acres — of which, it is believed, from many intelligent and scientific estimates, more than 85,000,000 acres are suited to the various kinds of profitable industry.

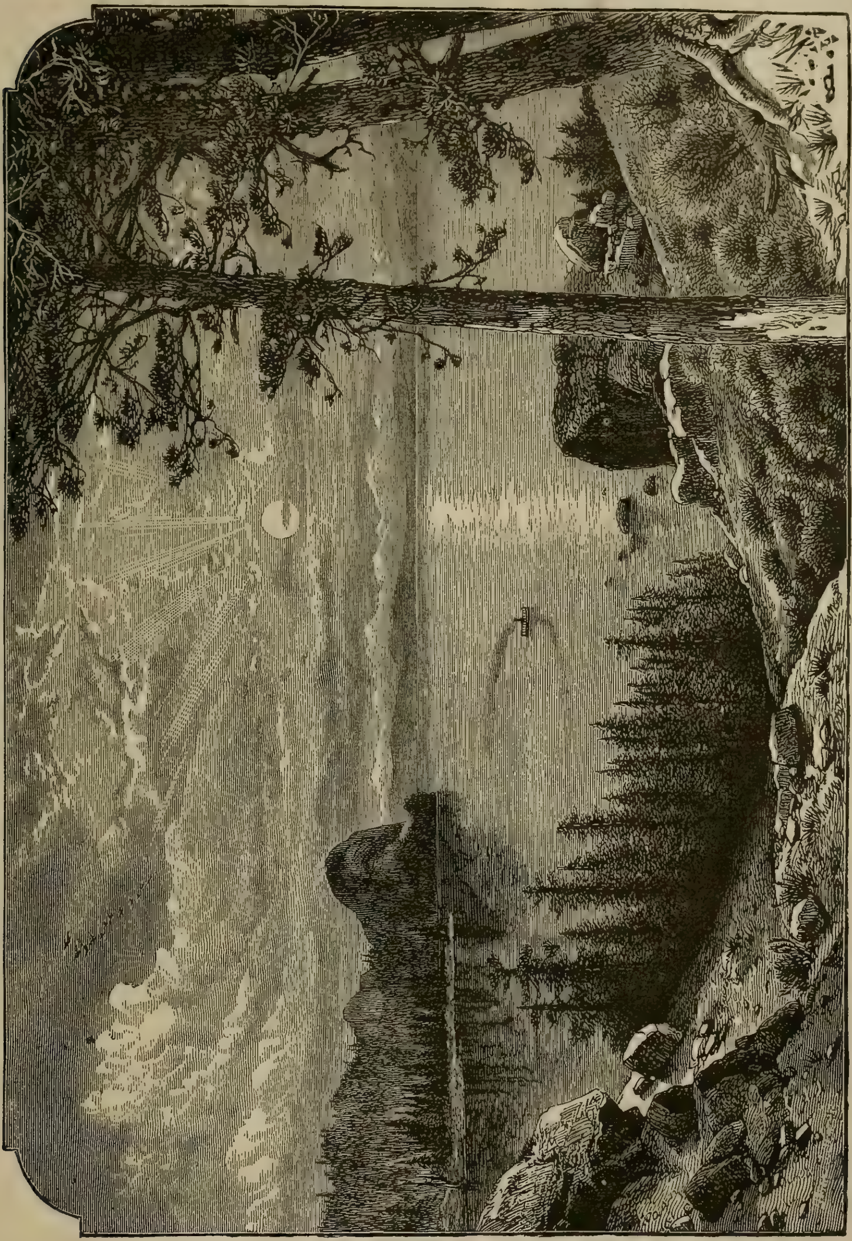
There are two great mountain ranges in the State of California — the Sierra Nevada (snowy chain) range, four hundred and fifty miles long and eighty miles wide (generally along the eastern boundary), with an altitude ranging from 5,000 to 15,000 feet above the level of the sea; and the Coast Range, running through the entire State (near the western boundary), with an average width of from twenty to forty miles, and an altitude of from 2,000 to 5,000 feet above the Pacific, which bathes the feet of these latter mountains in many places with the ever-dashing suds of its illimitable sea. The sides of the Sierra Nevada are covered with immense stretches of various kinds of timber, interspersed with miniature valleys, up to a height of eight or ten thousand feet, which give way to vast fields of granite and imperishable snows. The Coast Range, too, covers a great area, although in places along its western slope there is an absence of forests worthy the name. Professor Whitney says of the scenery of the Coast Range: " What gives its peculiar character to the Coast Range scenery is the delicate and beautiful carving of their masses by the aqueous erosion of the soft material of which they are composed, and which is made conspicuous by the general absence of forest and shrubby vegetation, except in the cañons and along the crests of the ranges. The bareness of the slopes gives full play to the effects of light and shade caused by the varying and intricate contour of the surface. In the early spring, these slopes are of the most vivid green, the awakening to life of the vegetation of this region beginning just when the hills and valleys of the Eastern States are most deeply covered with snow. *Spring here, in fact, commences with the end of summer; winter there is none.* Summer, blazing summer, tempered by the ocean fogs and ocean breezes, *is followed by a long and delightful* *six months' spring, which in its turn passes almost instantaneously away, at the approach of another summer."* The former chain has been parallelized with the Alps, and compares with the latter favorably in general extent and average elevation. The Coast Range, while inferior in most respects to the Sierra Nevada, greatly resembles the Appalachian chain, and is the watershed for the tens of thousands of vineyards and gardens and homesteads which border the broad Pacific from Crescent City in the north to San Diego in the south. The Coast Range is also noted for its subordinate ranges and detached spurs, many of which are very picturesque and beautiful; and also for the climate and healthfulness of the delightful valleys at its base; and for its multiplicity of warm and cold mineral springs, whose healing waters beckon the invalid to seek and secure a new lease of life.

Between the Sierra Nevada Mountains and the Coast Range lie the great interior basins of the State, comprising the Sacramento and San Joaquin Valleys, drained by the two great rivers bearing their respective names, and their tributaries, an uninterrupted level country of exceeding fertility, and the great present (and greater future) wheat-growing section of the State. This basin, or valley (or valleys), extends north and south about four hundred miles, with an average breadth of from fifty to sixty miles, rising into undulating slopes and low hills as the mountains are approached on either side. It is covered with a diluvium from 400 to 1,500 feet deep, and presents evidences of having once been the bed of a vast lake. Innumerable valleys are formed by spurs shooting off from the western slope of the Sierra Nevada Range, and from the Coast Range on either side, extending the entire length of the State, well watered by springs, and living streams, possessing a good soil and climate, and every way adapted to profitable mixed husbandry.

California has a sea-coast extending over seven hundred miles. Its principal bays and harbors, beginning on the south, are San Diego, Wilmington, Santa Barbara, San Luis Obispo, Monterey, San Francisco, Tomales, Bodega, and Humboldt. There are numerous other smaller bays and landings extending along the entire coast for the accommodation of small shipping. San Francisco Bay, the largest and best-protected harbor on the west coast of North America, and one of the most magnificent in the world, is about sixty miles long by about ten wide.

The most important rivers in California are the Sacramento, San Joaquin and Colorado. The Sacramento is navigable for large steamers to Sacramento (one hundred and twenty miles from San Francisco) and for smaller craft two hundred miles further. The San Joaquin is navigable for ordinary steamers to Stockton, and for smaller vessels (during the rainy season) about one hundred and fifty miles further. The Colorado, forming in part the southeastern boundary of the State, is an important river emptying into the Gulf of California, and navigable (at certain stages of water) over six hundred miles above its mouth. There are numerous streams of less importance in the State, many of which sink or spread and waste their waters before they reach the ocean, but few or none navigable for any considerable distance.

There are a great number of lakes in California. Tulare Lake, in the southern part of the State, is the largest — thirty-three miles long and twenty-two wide. This lake receives the waters of King's, Kaweah, Tule and Kern Rivers, and has no outlet except at high water, when its surplus runs off through Fresno Slough into the San Joaquin River. The waters of this lake will be of great value for



LAKE TAHOE—THE INCOMPARABLE GEM OF THE SIERRA.

the purpose of irrigating the San Joaquin plains for one hundred and fifty miles below the lake, when such a system of irrigation is put into practice as contemplated. Owens, Kern, and Buena Vista Lakes are much smaller, and are in the same vicinity as Tulare. Donner Lake, three miles in length, and Lake Tahoe, twenty-five miles in length, are deep bodies of pure cool water, lying near the eastern line of the State, at an elevation of nearly seven thousand feet above the sea. Near these beautiful bodies of water are Tallac, Weber, Fallen Leaf, Echo, Cascade and Independence Lakes, all of which are great resorts of tourists. Mono Lake, fourteen miles long and nine wide, lies in Mono County, east of the Sierra Nevada Range. Its waters are so highly impregnated with salt, lime, borax and soda, that they are intensely bitter, and of such high specific gravity that the human body floats in them very lighty. No living thing inhabits this lake, which is sometimes called the Dead Sea of California. Clear Lake, a body of clear, fresh water, twenty-five miles long, is in Lake County, in the western part of the State. Then there are Klamath, Goose, and many other smaller inland waters too numerous to mention. The water power of the State for manufacturing purposes is equal or greater than that of all the New England States combined. California, bear in mind, is in the direct line of the commerce between the two continents, and is already enjoying the benefits and profits of said commerce. She has nearly one thousand miles of sea-coast—more than three-fourths the entire sea-coast of the United States on the Atlantic side. Her harbors are safe and ample for the commerce of the world.

INFORMATION CONCERNING LANDS IN CALIFORNIA—HOW TO OBTAIN THEM, ETC.

WITH 85,000,000 acres of land which are believed to be suited to some industry, only 4,100,000 are at present under cultivation, although more than 6,000,000 acres are inclosed with fences. But there are 40,000,000 acres that have been surveyed, 10,000,000 of which are for sale either by the Central and Southern Pacific Railroad Companies, Colonization and other land companies, or by individuals. There are also United States Government lands left, here and there throughout the State, although most of the choice Government lands accessible to market have been taken up.

UNITED STATES GOVERNMENT LANDS.

Still, “Uncle Sam” (as the United States Government is sometimes felicitously called) has a good many farms (of one hundred and sixty acres each) left for either his home-born or adopted sons. In other words, the latch-string still holds out; and homesteads and pre-emption laws apply to Government lands in California as elsewhere.

Government Homesteads.— A *Government Homestead* is a tract of one hundred and sixty acres of land *given away* by the *United States Government* on condition that the person taking it live upon (and improve the same to some perceptible extent) for five years, paying only a fee of $14 on application at the *United States Land Office* in the district where the land lies, and $4 upon making final proof; and, by the way, any citizen of the United States over twenty-one years of age (or under that age if married and head of a family), may take up a homestead; and any person of foreign birth, by declaring intention to become a citizen, may also take up a homestead as soon as he may please after his arrival. Bear in mind, though, that the settler *must commence living on and improving his land* as soon as practicable after application; and then, at the end of five years, he may make proof by two witnesses that he has *honestly complied with the law,* and receive complete title; that's what “Uncle Sam” does for his native or adopted children. The *Pre-emption Laws* grant settlers one hundred and sixty acres, at $1.25 per acre, on condition of *a continued residence and improvement for one year!*

Soldiers' Homesteads.— Any person who served at least ninety days in the Union Army or Union Navy during the late War of the Rebellion is entitled by an Act of Congress to a homestead of one hundred and sixty acres, and to have the time of such service deducted from the five years' residence required; *provided* that, in all such cases, the settler lives upon and improves said homestead at least *one year* before the full title to the same can be claimed and acquired.

TIMBER CLAIM TRACTS.— According to a recent Act of Congress any person entitled to a homestead is also entitled to forty, eighty or one hundred and sixty acres, *provided* that he plants one-sixteenth of said tract to timber, and keeps said portion planted in timber in a thrifty condition for eight years.

DESERT LANDS.— An Act of Congress permits any settler to take up six hundred and forty acres of land which could not be cultivated without artificial means of watering it. But a cash payment of twenty-five cents per acre must be made at the time of entry; irrigating ditches must be constructed to cover all such tracts within three years; and at any time during that period the claimant may perfect his title by paying $1 additional per acre and presenting proof that the land claimed has been made useful by an artificial system of irrigation. The title to all such lands is, of course, *absolutely perfect*, as it comes from the Government itself.

LANDS OF THE CENTRAL AND SOUTHERN PACIFIC RAILROADS.

The Central and Southern Pacific Railroad Companies of California received from the United States Government vast areas of lands in said State and elsewhere as an inducement to the projectors of those grand thoroughfares to proceed with and complete their work.

THE RAILROAD TITLE.— The Railroad Companies hold, therefore, under a patent *direct from the Federal Government;* and their titles are thus free from the dangers that beset all titles that have passed through a number of individuals. No suit can ever be instituted against a railroad title on account of minor heirs, undivided interests, defective acknowledgments, or those common flaws to be found in a long succession of conveyances. It is well *to bear this fact continually in mind.*

WHERE THE RAILROAD LANDS LIE. — The Railroad lands lie in alternate square miles along the two roads, twenty miles on each side of them; and as these Railroad lands lie in tracts of a square mile each, a company of settlers wishing to be neighbors can easily buy a square mile, which is equal to six hundred and forty acres. This would give eight families eighty acres each, or sixteen families forty acres each. The mere purchase of such a tract and its settlement by eight or sixteen families would raise the value and selling price of each man's share, so that in five years he could double his money if he wished to sell out, or could sell a part and keep enough for himself.

PRICES OF RAILROAD LANDS.— The Railroad lands are not uniform in price, but are offered at various figures from $2.50 to $5, $10, $15, and upwards per acre. The most of them, however, may be purchased at from $2.50 to $20. It is impossible to give the prices by sections or minor subdivisions in this volume. Special inquiry must be made of either W. H. MILLS, Land Agent of the Central

Pacific Railroad Company, corner Fourth and Townsend Streets, San Francisco, California; or JEROME MADDEN, Land Agent of the Southern Pacific Railroad Company, corner of Fourth and Townsend Streets, San Francisco, Cal., U. S. A., as to each piece. The purchaser must pay for the acknowledgment of the three signatures to the deed;—the law now allows $1 for each signature; — and he must pay for recording—usually about $2.50 for each deed.

ALL PAYMENTS TO BE MADE IN GOLD COIN.—All sales of Railroad lands are made for United States gold coin, which may be paid in person or sent by express or by a banker's check on a bank in San Francisco. The Railroad Companies do not deal in exchange or take any risk of loss in transmission. The collection of orders upon business men in San Francisco, or of checks upon city banks drawn by farmers or country merchants, is often attended with much delay and vexation and therefore such orders or checks *will not be received;* but any check drawn by any solvent country bank upon a San Francisco bank, with which it has funds, is good. No paper is made out until after payment. No contract is made to accept work of any kind as payment. The Railroad Companies do not give free transportation to persons who have bought land; nor after purchase do they carry the building material, furniture, or cattle, of land-purchasers free. In this, as in all other respects, the land and transportation departments of the Companies manage their business on the cash basis and on separate accounts.

WHEN TIME IS ALLOWED.— As a matter of liberality on the part of the Railroad Companies, and to encourage men possessed of more energy than means, the Companies will sell land on contract, allowing time for payment of a part of the purchase money —if the tract be eighty acres or more and it have no timber. If it be less than eighty acres, or if it be covered with timber, no sale will be made except upon *full payment of cash before the execution of any paper.* The rule of the Companies is to make no contracts for sale of land before the patent for it has been received; thus an *absolutely perfect title* accompanies *all* sales.

TERMS OF TIME SALES.— Railroad Lands may be purchased as follows: —

One.—Payment in full at time of purchase, with $3 notary's fee for acknowledgment of signatures to deed. (See Example 1, page 21.)

Two.— Payment of twenty per cent of total amount, and first year's interest on remainder at time of purchase,— interest annually on said remainder *in advance,* the remainder payable at expiration of five years. Should purchaser desire to make full payment before the expiration of five years, *he may do so.* (See Example 2, page 21.)

Three.— In five annual payments. Twenty per cent of total amount and first year's interest on remainder at time of purchase; the remainder payable in four equal annual payments at the commencement of each year from date of contract, with interest yearly *in advance.* If preferred, *payment in full can be made at any time.* (See Example 3, page 22.)

Four.— In nine payments. Twenty per cent of total amount and first year's interest on remainder at time of purchase; the remainder payable in eight equal semi-annual payments, the first of these payments one year after date of contract, and the others every six months thereafter, with interest on the remainder semi-annually *in advance. If preferred, payment in full can be made at any time.* (See Example 4, page 22.)

AN EMIGRANT FAMILY'S FIRST DINNER ON THEIR NEW HOMESTEAD IN CALIFORNIA.

The rate of interest in all cases will be seven per cent per annum. Instalments of round amounts on the unpaid remainders of purchase money will be received at any time, and interest on these amounts will cease from date of payment. *No longer credit than five years is allowed in any case.* On land sold under contract the purchaser must cut no wood save for domestic purposes of the actual occupants, or for fencing the tract bought, until he has made his last payment. All contracts *may, with consent of either the Central or Southern Pacific Railroad Companies,* be assigned by the purchaser. Forms for that purpose, to be signed by assignor and assignee, are printed on the back of each contract. The assignment must be acknowledged before a Notary Public, or a Clerk of a Court of Record. When a contract is made, the purchaser must, from that date, see that the land is assessed to him, and must pay all the taxes and assessments of every kind levied on the land for public purposes. It may be well to state, right here, that *in many instances in which purchases have been made on credit, the buyers have realized enough from the crops of a single year to pay for the land!* It should be remembered that in California, as in all new countries, the price of land rapidly and largely increases, as soon as it is occupied and cultivated; and, in California, a great deal of money has been made by men with small means, in buying new land, improving it, raising a crop or two, and then selling out at a large advance to a new-comer. In old countries no such rapid rise in the value of land is known; but in a new and growing State, like California, where the real value of land is just beginning to be known, the settlers on cheap uncultivated lands have only to show, by raising a crop and planting trees, what it will do, to be able to realize, at once, a handsome and often a large profit. In one case land, which sold five years ago for from three to seven dollars an acre, and which, for years before that, could not find a purchaser at all, now sells for from fifty to one hundred dollars per acre, without any improvements, such as houses or fences, only because a number of energetic poor farmers bought it, and by their industry showed its value for crops of all kinds. Other lands, which twelve years ago were sold for five, or at most, ten dollars an acre, but which, ten years ago had water let onto them, are now sold for two hundred and two hundred and fifty dollars per acre for the bare land, because farmers on such tracts have demonstrated that it will grow the most valuable varieties of fruit, such as oranges, apricots and raisins.

EXEMPLIFICATION OF FOREGOING PLANS, AND MANNER OF COMPUTING PAYMENTS.—*Example 1.*—

160 acres, say at $5.00 per acre	$800.00	
Notary's fee for acknowledgments to deed	3.00	
Payment in full		$803.00

Example 2.—Purchased January 1, 1884, 160 acres, say, at $5.00 per acre, $800.00.

Jan. 1, 1884—20 per cent of $800.00	$160.00	
First year's interest on remainder, $640	44.80	
First payment		$204.80

Jan. 1, 1885—Second year's interest on remainder, $640.00		44.80
Jan. 1, 1886—Third year's interest on remainder, $640.00		44.80
Jan. 1, 1887—Fourth year's interest on remainder, $640.00		44.80
Jan. 1, 1888—Fifth year's interest on remainder, $640.00		44.80
Jan. 1, 1889—Remainder of purchase money	$640.00	
Notary's fee for deed	3.00	
		$643.00

Example 3.—Purchased January 1, 1884, 160 acres, say, at $5.00 per acre $800.00.

Jan 1, 1884—20 per cent of $800.00	$160.00	
First year's interest on remainder, $640.00	44.80	
First payment		$204.80
Jan. 1, 1885—20 per cent of $800.00	$160.00	
Second year's interest on remainder, $480.00	33.60	
Second payment		$193.60
Jan. 1, 1886—20 per cent of $800.00	$160.00	
Third year's interest on remainder, $320.00	22.40	
Third payment		$182.40
Jan. 1, 1887—20 per cent of $800.00	$160.00	
Fourth year's interest on remainder, $160.00	11.20	
Fourth payment		$171.20
Jan. 1, 1888—20 per cent of $800.00, being remainder of purchase money	$160.00	
Notary's fee for deed	3.00	
Fifth payment		$163.00

Example 4.—Purchased January 1, 1884, 160 acres, say, at $5.00 per acre, $800.00.

1884.	Jan. 1—20 per cent of $800.00	$160.00	
	First year's interest on remainder, $640.00	44.80	
	First payment		$204.80
1885	Jan. 1—10 per cent of $800.00	$80.00	
	First six months' interest on remainder, $560.00.	19.60	
	Second payment		$99.60
	July 1—10 per cent of $800.00	$80.00	
	Second six months' interest on remainder, $480.00	16.80	
	Third payment		$96.80
1886	Jan. 1—10 per cent of $800.00	$80.00	
	First six months' interest on remainder, $400.00	14.00	
	Fourth payment		$94.00
	July 1—10 per cent of $800.00	$80.00	
	Second six months' interest on remainder, $320.00	11.20	
	Fifth payment		$91.20

1887	Jan. 1—10 per cent of $800.00	$80.00	
	First six months' interest on remainder, $240.00	8.40	
	Sixth payment		$88.40
	July 1—10 per cent of $800	$80.00	
	Second six months' interest on remainder, $160.00	5.60	
	Seventh payment		$85.60
1888	Jan. 1—10 per cent of $800.00	$80.00	
	First six months' interest on remainder, $80.00	2.80	
	Eighth payment		$82.80
	July 1—10 per cent of $800.00, being remainder of purchase money	$80.00	
	Notary's fee for deed	3.00	
	Ninth payment		$83.00

DEED OF SALE.—To the purchaser of Railroad Lands is given what is known as a bargain and sale deed, the form customary in California. It warrants to the purchaser that he gets *the entire title acquired by either the Central or Southern Pacific Railroad Company* from the Federal Government, and is signed by the President and Secretary of the Company which makes the sale and two Trustees. *No deed will be made until the entire price shall have been paid.*

RAILROAD LAND-SEEKERS' TICKET.—Emigrant tickets are on sale at all the principal Eastern ports to San Francisco, which are good for continuous passage to that city, Sacramento, San José, Lathrop or intermediate points. At San Francisco, Sacramento, San José, Lathrop and Los Angeles, an intending purchaser can buy a "Land-Seeker's Ticket" to points along the line of the Central Pacific Railroad or the Southern Pacific Railroad. In connection with this, there will be a non-transferable voucher, stating the amount paid. The person named therein can turn in this voucher as cash in his first payment for land. *Free transportation is thus virtually furnished to the settler from the overland line to the vicinity of his land.* No officer of either railroad is permitted to select land for another person; nor could such selection be made without exposing the Companies to vexatious complaints. Every person who intends to buy should, if possible, visit and examine the land; for nobody knows so well as he what he wants; or, certainly, no one can safely assume the responsibility of deciding for him.

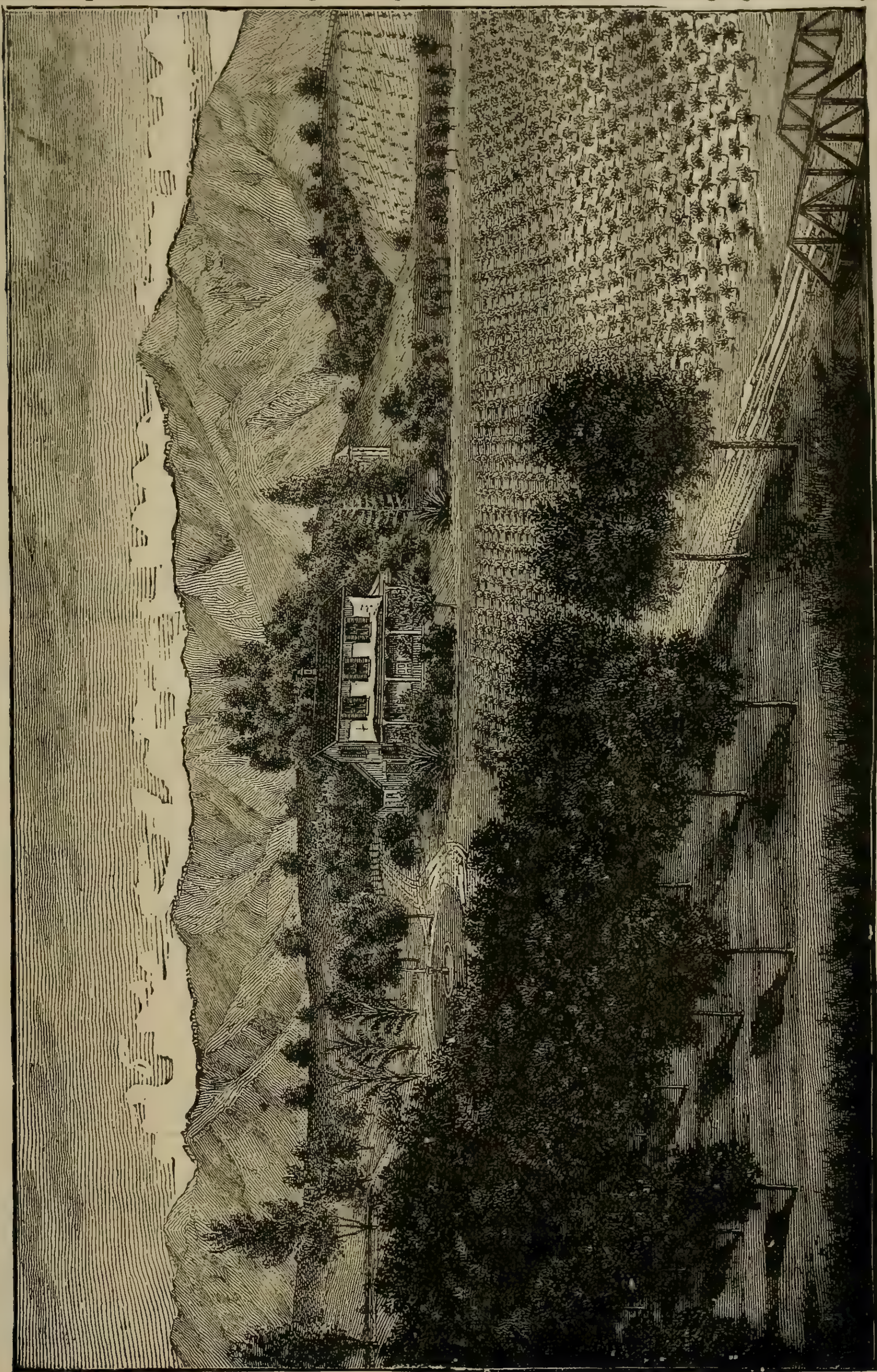
LANDS TO RENT.—The Railroad Companies will lease their vacant grazing or agricultural lands by the year, but reserve the right of selling their grazing lands so leased at any time, or their agricultural lands at the end of any crop year, repaying to the lessee of grazing land a share of the rent money proportioned exactly to the area sold, the time of the sale and duration of the lease. *The lessee must not cut any timber except for firewood for domestic purposes of the actual occupants of the tract.* The Railroad Companies also have vast areas of lands for sale and for lease in Nevada and Utah.

ADDITIONAL INFORMATION.—For further information regarding the Railroad lands in California, address either W. H. MILLS, Land Agent Central Pacific Railroad Company, corner Fourth and Townsend Streets, San Francisco, California; JEROME MADDEN, Land Agent Southern Pacific Railroad Company, corner Fourth and Townsend Streets, San Francisco, California; Pacific Coast Land Bureau, 22 Montgomery Street, San Franciscco, California; I. N. Hoag, 103 Adams Street, Chicago, Illinois; and W. G. Kingsbury, General European Agent, 41 Finsbury Pavement, London, England; who will send applicants (postage paid) pamphlets descriptive of all the lands in the State of California by county — and telling just what every section of the State will produce, characteristics of soil, climate, opportunities for settlers in California, the equability of its summer and winter weather, variety of productions, wages, prices of lands, wheat-farming, fruit-raising, wine-making, facts about irrigation, advice to farmers and all others seeking new homes, cheapness of living, etc. California needs population; she is susceptible of sustaining millions where she now has thousands. With industry, economy, sobriety, and honesty of purpose, no man in this State, with rare exceptions, will fail of success in the ordinary pursuits of life. California contains a great area unsettled, unsubdued and undeveloped; with as rich a soil and as fine a climate as the sun ever shone upon — a country entirely exempt from violent storms, and one every way fitted, when ordinary prudence only is exercised, for crowning success.

THE COLONY SYSTEM — RIVERSIDE AND PASADENA — A PARADISE FOR LABOR.

There are quite a number of colonies in California, principally in the southern part of the State, the most conspicuous being Anaheim, Westminster, and Pasadena, in Los Angeles County; Riverside, in San Bernardino County, and a number in Fresno County. Where all of these places now flourish — with the exception of Anaheim — horses, cattle and sheep pastured seventeen years ago; yet, only those with thousands of dollars (instead of hundreds) in their pockets can secure even small parcels of lands in any of the above-named colonies now. Still, the opportunity to secure large tracts of inviting land for colonization purposes is as good at present as it was seventeen years ago.

Riverside.— One of the most extraordinary exemplifications of the generous nature of the soil and climate of Southern (or Semi-tropical) California, says a late writer upon California, has been realized in Riverside (a colony), where the author of this book shot antelope, quail and rabbit by the cart load fifteen years ago, and which was the center of a *number of unimproved ranches not worth a dollar an acre except for the purposes of grazing.* Here is, indeed, a transformation scene;— but we shall let Frank Pixley, the editor of the San Francisco *Argonaut,* who stopped at Riverside on his way home lately from the East, present to our readers his impressions of the place: "I return to California glad and thankful that it is my home. Every time that I return from other lands, the more I wander, and the more I see, the more I am impressed that this is the happy Canaan — the holy land; that God, when He made the world, and had gathered the experience of all His efforts, said to himself: 'I will now illustrate the crowing glory of My labors with the production of a perfect spot. I will give it wealth of soil and wealth of precious metals; I will enrich it with nature's grandest productions; I will give it splendid mountains, rich and gorgeous valleys



AN ORANGE GROVE AND VINEYARD IN LOS ANGELES COUNTY, CALIFORNIA.

grand and stately forests; I will thread it with magnificent rivers and beautiful brooks; its grasses shall be nutritious; its soil shall produce in generous quantities the best of fruits. I will smile down through cloudless skies upon its beautiful fields; I will fan it with breezes from My broadest sea; I will waft to it the odors of spices and the perfumes of tropic lands; and in the ripeness of time its people shall be great-hearted and generous, liberal and just; and there, in all the perfection of its soil and the salubrity of its climate, shall be found the highest social condition of which the creation of My image is capable.' I stopped at Riverside. A paragraph will dispose of it till I have opportunity for further description. Of all the places in Europe and America that I have ever seen, this is incomparably the most interesting, most prosperous and most beautiful. If my readers will imagine twelve thousand acres of fruit groves, vineyards and gardens lying under the shadow of a snow-clad mountain range, upon a level and beautiful plain, watered by two parallel artificial rivers, and through it for ten miles a broad, straight avenue nearly 200 feet wide, lined on either side with hedges of palm, cypress, magnolia, pepper and eucalyptus; running through a continuous orchard of orange, olive, lemon, lime, peach, apricot and vineyard; all reposing under the sunshine of a cloudless sky; inhabited by intelligent, cultured, and wealthy people, living in cottages *ornee* and homes of luxuriant ease and architectural adornment that would not shame the most aristocratic quarter of our city — they can form some idea of the colony at Riverside. Within its limits, unimproved and watered land is worth three hundred dollars per acre, which was not worth ten dollars an acre twelve years ago; and in the ten years of its existence there has been no instance of a forced sale for debt. *There are a thousand places in Southern California where this marvel may be reproduced.*"

PASADENA COLONY A SPECIMEN OF THE SUCCESS OF THE PRINCIPLE—WHAT A MAGICAL WEALTH IT HAS PRODUCED.— During the winter and spring of 1873, the exceptionally severe weather that prevailed in the State of Indiana, with the train of fierce climatic diseases that follow such a season in that region, induced a number of gentlemen, who were suffering from such diseases, to determine on removing to a more favored clime. The newspapers were invoked for information; and, after "reading them up" on Florida, Texas and California, California was determined upon as a location for a settlement of sufferers. A short article in the local columns of the Indianapolis *Daily Journal,* in April, 1873, stating what the sufferers intended to do in this country, attracted much attention. In that article was an ideal picture of what the settlers intended to create in California, where a hundred-fold more than that idea has been realized already. After an examination of the southern portion of the State, with regard to all its resources and peculiar climatic advantages, it was determined to purchase the half interest of Dr. John S. Griffin in the rancho San Pascual, on the east bank of the Arroyo Seco, at the west end of the San Gabriel Valley (Los Angeles County), sheltered on the north by the Sierra Madre, on the west by the Verdugo Mountains, and on the south by beautiful foothills, the whole having a sunny slope and perfect drainage. There were many reasons for this choice. Among them may be mentioned its nearness to the railway, about three miles distant; its nearness to the city of Los Angeles as a base of supplies while getting started, and as a market after crops had been grown; its elevation above the sea of a thousand feet, making it especially advantageous for persons suffering from catarrh or bronchial affections, while from its geographical position the daily sea breeze passed about forty miles over shrubby mountains before it reached the place, carrying with it plenty of oxygen and none of that chill which prevails in some other sections. The air was found so soft and peculiar that a large number of persons suffering from asthma were relieved in a single day's residence in that locality. The topography of the ground was so diversified as to give a fine outlook to all parts of the tract, while the warm, rich soil, so retentive of moisture and above the danger of frost, was found most admirably adapted to the cultivation of semi-tropical fruits of a superior quality. A stock company was formed, called the San Gabriel Orange Grove Association, with a capital of $50,000, divided into two hundred shares of $250 each. About 3,700 acres of land were purchased for $25,000; and the remainder was used to develop the water, which was brought about three miles in an iron pipe to a reservoir on the highest portion of 2,400 acres of land, and from this reservoir carried in a main delivery pipe down the center of the tract, while other distributing branches were laid to ramify all over a tract 1,500 acres, which was subdivided among the shareholders, giving each share of stock seven and a half acres of land in fee simple, and an undivided interest, besides, in the remainder of the land and the water. Each share would thus represent an ownership of 1-200th part of all the water and the common property of the association. A portion of the timbered land in the Arroyo Seco was subdivided into small tracts and sold to the stockholders and the proceeds applied to the further development of water from springs in the Arroyo Seco Cañon. Since that time the balance of the land, about 1,300 acres, has been sold and the proceeds applied to the purchase of additional land containing springs, and an engine and pump to use in case of necessity, on some portion of the land. The land was purchased December 26th, 1873, and the survey and subdivision made in January, 1874, and the water brought into the reservoir May 26th, 1874. The season was so advanced that but little was done till the winter of 1874–5, when 1,500 fruit trees and 100,000 vines were planted and twenty-five houses erected, and the streets graded and bordered with hedges, which added great attraction to the settlement. As the project of this colony was originated at Indianapolis, it naturally took the name of the "Indiana Colony;" but the commanding position of the place at the head of the valley suggested a name that should signify the "crown of the valley," and, accordingly, the Indian name Pasadena, meaning crown of the valley, was adopted as the name of the settlement. Judge B. S. Eaton was the first President of the Association, assisted by Calvin Fletcher, P. M. Green, A. O. Porter, W. T. Clapp, T. F. Croft and D. M. Berry, directors. In all the plans and operations of the society the directors aimed only for the greatest good to the shareholders, and in no manner to their individual interests. So admirably was the subdivision accomplished that when, on the 27th day of January, 1874, the shareholders, twenty-seven in number, were invited to select their several tracts embraced in the 1,500 acres, each and every one secured the position desired, without controversy or premium for preference. In the spring of 1876 the lands of the Lake Vineyard Land and Water Association, adjoining the lands of the Pasadena Colony on the north and east, were subdivided by the owners, Messrs. B. D. Wilson and J. De Barth Shorb, into ten-acre tracts, with the Pasadena streets extending through them, and forming of both tracts a harmonious plan of development. A concrete ditch was made from the springs in the Arroyo Seco, extending about two miles to a system of reservoirs connected with iron pipes. These reservoirs have a storage capacity of 30,000,000 gallons; and leading from them are subterranean pipes along the north and south avenues, from which the water is taken to the houses and lands on either side. The land is rich table-land, with a southern slope, making irrigation easy and rapid. The water to supply this tract is divided into five hundred shares, with one share allotted to each lot of five acres. A five-acre lot on the line between the two settlements was donated by the Lake Vineyard Company for educational purposes; and a large and commodious school-house has been erected thereon by the joint efforts of the two colonies, which united in forming a school district called San

A FIVE-YEAR-OLD FARM IN SACRAMENTO COUNTY, CALIFORNIA.

Pascual; while the south end of the district has formed another school district called the Pasadena School District. Schools are now maintained in both districts; and a Methodist Episcopal and a Presbyterian church have been erected. An Episcopal Church Society has also been formed, and a fine public library building erected. The most enlightened system of cultivation, with but little irrigation, has been carried on, until 250,000 fruit trees and the same number of vines have been planted and are steadily coming into bearing. The grapes are mostly of the Muscat variety, for raisin-making, and the quality of the raisins is very fine, while the fruit, which is of almost endless variety, is choice and fair. A spirit of emulation is among the people, and a desire to produce the best of everything which they cultivate seems to possess all the inhabitants. A short time ago the remainder of the unoccupied land of the Lake Vineyard Company was purchased by the Pasadena stockholders, in order to combine the two systems, and make them unified and improved. The two places are now married into one, and prospering abundantly. The people are selling fruit or vegetables all the year, making their income perpetual; while the beautifying of their homes is an honorable and constant desire. The settlement has two stores, five hotels, one hundred and fifty houses, two post-offices,—Pasadena and Hermosa,—a fruit cannery, and a thousand happy and intelligent inhabitants. Some of the land which sold at $50 per acre, unimproved, in 1876, now sells at $250 per acre, and with young orchards thereon at $1,000 per acre, without buildings. Such an exhibition of growth in this colony is almost marvelous; but other colonies are springing up in imitation of this model settlement, and meeting with eminent success.

COLONIES IN FRESNO COUNTY.—There are two hundred and twenty-nine residents in Washington Colony. During the season of 1882, six hundred and forty acres were planted to vines and trees. For the year ending April 19th, 1882, the sales amounted to seven hundred and sixty acres, while the aggregate sales from July 24th, 1880, to April 19th, were one thousand and eighty acres. Upwards of one thousand acres of land in this prosperous community are in grape-vines. Dr. Jarvis, the largest fruit-grower of Riverside, has negotiated a large purchase on this colony. Dr. Nichols, a capitalist of Salem, Oregon, has purchased a tract, and will erect his permanent residence immediately, bringing with him a large number of families. Captain McLaughlin, who has planted fifty acres to vineyard the present season, writes for more land, and will build a fine residence next summer. The American Colony comprises a tract of three thousand two hundred acres. The land is a beautiful level tract, and is altogether as fine a piece of land as is found in the county. It has recently been surveyed and laid out with avenues sixty feet wide, and divided into lots of twenty acres each. It adjoins the celebrated Washington Colony on the west, and Central Colony on the south. The Nevada Colony is one of the most flourishing in Fresno County. Mr. F. Roeding, Vice-President of the San Francisco German Savings and Loan Society, the owner, determined some time since not to sell in smaller tracts than one hundred and sixty acres. Since January 1, 1882, four tracts of one hundred and sixty acres each have been sold to Colonel W. Forsyth, J. R. Hamilton, Fred.

A SPECIMEN BUNCH OF ONE OF A HUNDRED KINDS OF GRAPES THAT CAN BE RAISED IN ANY AND EVERY PART OF CALIFORNIA.

D. Woodworth and J. W. Pew, mining secretary, 310 Pine Street, San Francisco. Colonel Forsyth already has eighty acres planted to vines. Mr. Hamilton's land is being surveyed preparatory to leveling, this summer and fall. Surveyors are locating ditches for Mr. Woodworth. He will erect buildings immediately. J. T. Goodman has a fine farm under cultivation, one hundred acres being planted to raisin grapes of the best varieties. J. W. Reese, Mrs. Stutzman and others are making extensive improvements in the Nevada Colony. Our colony system, with small tracts of land on easy payments, offers a fine chance for a man of small means to make a home; and it is pleasant to know that such men are coming to the State in large numbers, and availing themselves of our superior advantages in making for themselves cheerful and delightful homes.

THE PARADISE FOR LABOR.— California is certainly the Paradise for labor, and no one can deny it;— none have ever attempted a denial. Cases are numerous where young men with no capital, except honesty and industry, have achieved a complete success. They have obtained credit for a span of horses and outfit, to work in the neighborhood, at plowing and planting at full prices, and from their daily earnings have speedily paid for horses, harness and plow; then contracted for land, which they have paid for in the same way, using the team in taking care of orchards and vineyards of neighbors who were well supplied with this world's goods. The price of labor has been high in California for the past thirty-three years; and when an industrious young man adds his own intelligence to the muscle of a team in our numerous colonies he can earn enough to pay for ten acres of land in a very short time. This combination has been successful in many colonies in Southern California, and will so continue for years to come. Honesty and industry have won in a most remarkable manner in Pasadena, Riverside, Etiwanda and Ontario, by following this line of labor. It is the triumph of man over circumstances. Labor is perpetual in California, and wages are higher and first-class food cheaper than in any other State in the Union. In January comes plowing and sowing of grain and preparing land for vineyards and orchards, that lasts three months. Orange picking continues from January to July, in steady activity. In February the planting of deciduous trees is active. In March and April the planting of vineyards and the clearing of the land of the weeds and alfilerilla that have sprang up in abundance; also, the shearing of sheep and packing of wool. Orange, lemon and corn planting are active in May, while haying and harvesting begin in May and continue through June and July, and threshing and hauling grain lasts three months longer. In July the gathering and canning of fruit begins, while potato digging lasts all the year. In the latter part of September the business of gathering grapes and the making of wine and raisins lasts for two months more, when the fall clip of wool must be gathered and the great vineyards pruned, and the cuttings gathered for spring and winter planting; and the harvesting of corn must be made. The clearing of land and planting of grain begin in November and extend through the winter, and lap on to all the labor of spring. It will thus be seen that labor in the Golden State is not only remunerative, but promiscuous, pleasant, and perpetual.

While the barley and wheat is being sown, the alfalfa is yielding hay and dairy products, and the dairy and poultry business is perennial. Every month boasts

CALIFORNIA STRAWBERRIES—ACTUAL SIZE—GROWN IN ALAMEDA, SANTA CLARA, SAN MATEO, AND OTHER COUNTIES.

an equality with another. No winter locks our land or harbors, and the same activity prevails in one part of the year which is demanded in another. There is no real season of rest from business in California. In addition to the demands of agriculture and horticulture, our mines demand unremitting attention all the year, and furnish labor with rich remuneration. In looking over the list of industries, the one that seems most permanently profitable to a man with little money is fruit-growing. If a young man can get a team, he can in this eternal round of labor get something to do for each and every day of the year, and soon earn enough to make a payment on ten acres of land. From time to time he can devote a few days to cultivating his ground and planting a vineyard or orchard. This has been done without capital, except brain and muscle, and the land paid for and planted in three years, and at the end of four years made self-supporting to a small family. In our colonies there are always a certain number of persons of means who need labor of every kind in the making of their homesteads and the gathering of their fruit, so that a young man can always depend on having plenty of work to do in one of these little settlements. The colony system is one of the special boons to a poor man whose capital is his labor. He cannot buy a farm, establish a manufactory, purchase a stock of goods or pay for opening a mine; but he can buy ten acres of land in a colony, where capital has brought out the water to the door of the settler, and with three-fourths of his time devoted to working for his well-to-do neighbors, and one-fourth devoted to his own ten acres of orchard, he will soon have paid for his land and made it self-sustaining.

PRIVATE LANDS AND IMPROVED FARMS.

Private Lands.— There are also millions of acres of private lands in California—old Spanish grants and other large holdings — that are now being broken up into small farms and sold out at comparatively low rates and on easy terms, both as to time of payment and rate of interest on deferred payments. Embraced in this class of lands are vast quantities of the most valuable lands in any country in the world.

Improved Farms.— There are also in California many farmers, owners of large and small highly-improved farms, who, having secured a competency, and desiring to retire from active business, and to the enjoyment of travel and social life, are offering their farms for sale at moderate prices, and desire to leave half or more of their value in mortgages on the places, at a low rate of interest and for any length of time required.

CALIFORNIA AGRICULTURALLY CONSIDERED—THE STATE OF ALL OTHERS FOR THE SMALL FARMER.

NO part of this book could be dismissed with less ceremony than this—for we might say, in one sentence, that California is the only State in the United States of America where a man *may work in his shirt sleeves every day in the year*, from January to December, and sleep under blankets nearly every night; *no other State can say that!* No writer upon the glories of other States can make such a declaration; *nor can it be said of any other place in the world* that the orange, lemon, lime, guava, pomegranate, fig, almond, walnut, chestnut, olive, apple, pear, peach, plum, cherry, apricot, nectarine, sweet-potato and Irish potato *grow to perfection alongside of each other;* nor can the most daring and brilliant pamphleteer in America, however glowingly he may sound, or wish to sound, the pæans or praises of the "surpassing fertility" of this or that soil, say to native or foreign seekers after new homes that peas, potatoes, cabbage, cauliflower, tomatoes, onions, radishes, celery, strawberries, roses, jasmine, mignonette, lilies, and nearly all the productions of the vegetable and floral kingdoms grow *every day in the year, except in California.* The most brilliant books that have been issued concerning the Western States,—the most bewitching pamphlets regarding Western lands — the dazzling statements about "unsurpassed soil," "benignant atmosphere," "sloping uplands," "long screens of woodland," and other deliciously-worded decoys set along the precarious paths of the ambitious emigrant — even if they do not confuse by their glittering generalities, cannot present such a statement as the foregoing. However abundant of promise is much of the magnificent soil and possibilities of agriculture and horticulture of many sections of the "Great West," no such statement as the one we have made for California can be made by any other State and sustained.

PRODUCTIVENESS OF SOIL — PRODUCTIONS — NOTES ON IRRIGATION — AND OTHER INFORMATION.

As has been previously stated, California is remarkable for the production of vegetables, fruits and cereals, on account of its highly favorable climate, and to the superiority of its soil. The soil in the valleys, on the coast and in the interior is generally fertile, and consists of a gravelly clay with a rich sandy loam. The greater part of the farming lands lie in the interior basin, in Southern California, and on the coast, extending to and including the counties bordering on the bay of

San Francisco. All the fruits and cereals of the temperate zones are produced in great abundance throughout the State, while in the southern part nearly all the most valuable products of the tropics are cultivated with success. Specimens of the wild plants of the entire Atlantic Coast from Maine to Florida, together with

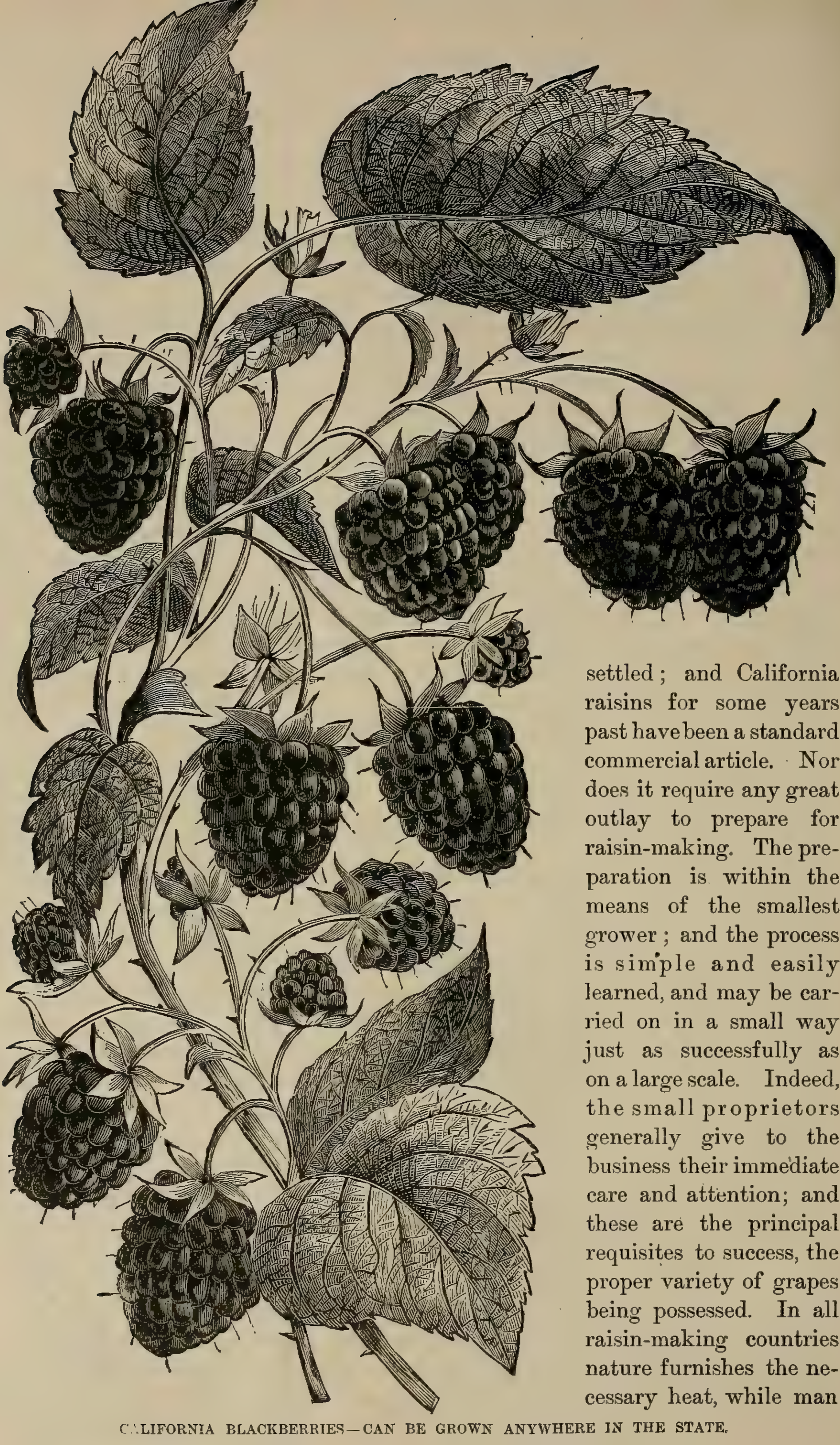
CALIFORNIA GOOSEBERRIES—CAN BE GROWN ANYWHERE IN THE STATE.

the flora of Japan, China and the Himalaya region, are easily made to thrive. Mexican, Chilian and Peruvian plants find congenial homes. Australasia contributes largely to California gardens. The horticulture of the future in this State will be one of surpassing variety. The soil is of all sorts and characters. Near the sea-shore and bays are large tracts of salt-marsh, but little of it utilized, for sale at prices ranging from five to twenty dollars per acre, and of endless fertility when dyked and reclaimed. Along the Sacramento and San Joaquin Rivers, in the form of islands swept about by sloughs, or river channels, are fresh water marshes, some of which, as Roberts Island, Union Island and others, have been reclaimed, either in whole or in part, at heavy expense, requiring capital, but promising in the near future to give the State an empire of fertile lowlands as rich as those of Belgium and Holland. The western slopes of the Coast Range in the northern and central part of the State are clothed with timber of redwood and other conifers, oaks, madrona, and a great variety of lesser trees. Choice regions for dairying abound, and as the timber is cleared off farms are made and many fruits prosper. The interior valleys and eastern slopes of the Coast Range present a great variety of climate and offer great horticultural capabilities. In many parts of the coast counties the rolling hills can be cultivated clear to the summit in grain, fruits or vines; and the only drawback to the more rapid advancement of whole sections of this highly favored belt is that the territory to subdue is so great. Except in the immediate vicinity of towns, fertile lands can be bought in the Coast Range at from five to fifty dollars an acre, some exceptional valley land ranging higher. Vineyard or semi-tropic fruit land in the southern counties capable of yielding in a few years from $200 to $500 per acre, net returns, can be purchased at from $200 to $400 per acre, with water privileges attached, and in some cases for much less. It will not be so long, as the permanency and value of this sort of property is yearly better assured. The great central valley of the State, extending from Redding to the limits of Kern, affords the most complete variety of soils imaginable, from sand to clayey loam, through every shade of alluvial, and every character of upland. North of Stockton little irrigation is practiced; south of Stockton irrigation is making whole communities prosperous; and the snow-summits hold reservoirs as yet hardly touched. The Sierra foothill region is another section of vast extent and great beauty, reaching across old mining counties, watered by ditches and streams, and offering abundant opportunity to tens of thousands of hardy settlers to cultivate the grape, fig, olive, apple, peach, pear, apricot, prune, plum, chestnut, walnut, and in some localities the orange, lemon and almond. Timber for firewood and fencing is abundant. The land is either government or railroad, and is sold at from $2.50 to $10 per acre, according to location.

GRAIN.— The advantages of the State for small grain are that the same land can be cultivated for five or ten successive seasons in the same crop and never get foul with weeds; that the greater part of the soil is so manageable that from two to ten plows can be used in a gang; that the headers, as the machines most used for harvestings are called, can run with high speed over the large, level fields;

that few fences are required; that it is not necessary to have either barn, granary, or stack on the farm; that the crop when ripe is in no danger of damage from rain or hail, and can be left standing for weeks; that the grain, when ready to cut, in a few days becomes so dry that it can be thrashed, sacked and shipped with safety, and instead of molding, on the voyage to Liverpool, gains in weight by absorbing moisture from a more humid atmosphere; and that, in case of necessity, the farmer can attach a thrashing-machine to his header-wagon, and send his crop to market the day after he cuts it. Usually several cargoes are shipped to Europe before July. The piles of sacks full of wheat lying in the fields in June and July, and similar piles heaped up near the railroad stations in August, September and October, are among the notable sights in the agricultural districts of California; but shocks, stacks, and barns full of unthrashed grain are rare. The wheat yield may be put down at 40,000,000 or 50,000,000 bushels (with the expectation of an average increase of 2,000,000 bushels) annually. The wheat of California is hard, white, dry, and strong in gluten. The surplus is mostly shipped to England, where it is prized as among the best there obtainable. Barley is an important crop in California, yielding largely; and the volunteer crop, self-sown, of the second year, and sometimes of the third and fourth years, is often an average crop. A yield of sixty bushels to the acre is common. In 1866, J. B. Hill, in the valley of Paraiso, Monterey County, raised 14,900 bushels of barley on one hundred acres, an average yield of one hundred and forty-nine bushels to the acre. Barley grows well in all parts of the State, and is principally used for horse and hog feed, for brewing purposes and for export.

Fruit.— One of the chief wonders of California to the visitor from abroad is the excellence and multitude of varieties, the large size, the fine color, the abundance, and the long-continued supply of fruit. The mildness of the climate permits the trees to grow with great rapidity, and to bear early; and it enables the temperate and semi-tropical species to thrive side by side. The date palm has a range of six degrees in California, some old trees being found in latitude 38° 30′ north; and it would probably thrive as far north as 40°, in which latitude the orange lives in the open air. The pomegranate, the apricot, the nectarine, the fig, the olive, the European grape, which are too delicate for Tennessee or North Carolina, extend through eight degrees of our State; and the guava, medlar, pineapple and banana ripen in the open air on the southern coast. Orange culture is the distinctive industry of Southern California. The profits are large. A small orchard is certain to produce gratifying results; and the possessor of a few acres in orange trees is lifted above the ordinary drudgery of farm labor; the climate is so mild that life is rendered more enjoyable than in other countries. There is no possibility of overproduction, as the area suitable for this class of farming is limited, and the market constantly increasing. An experienced authority says that an acre of healthy orange trees, twelve years old, may be relied on for an income of $1,000 per year. Raisin-making is no longer an experiment in the State. That good raisins can be made to pay well is fully



settled; and California raisins for some years past have been a standard commercial article. Nor does it require any great outlay to prepare for raisin-making. The preparation is within the means of the smallest grower; and the process is simple and easily learned, and may be carried on in a small way just as successfully as on a large scale. Indeed, the small proprietors generally give to the business their immediate care and attention; and these are the principal requisites to success, the proper variety of grapes being possessed. In all raisin-making countries nature furnishes the necessary heat, while man

CALIFORNIA BLACKBERRIES—CAN BE GROWN ANYWHERE IN THE STATE.

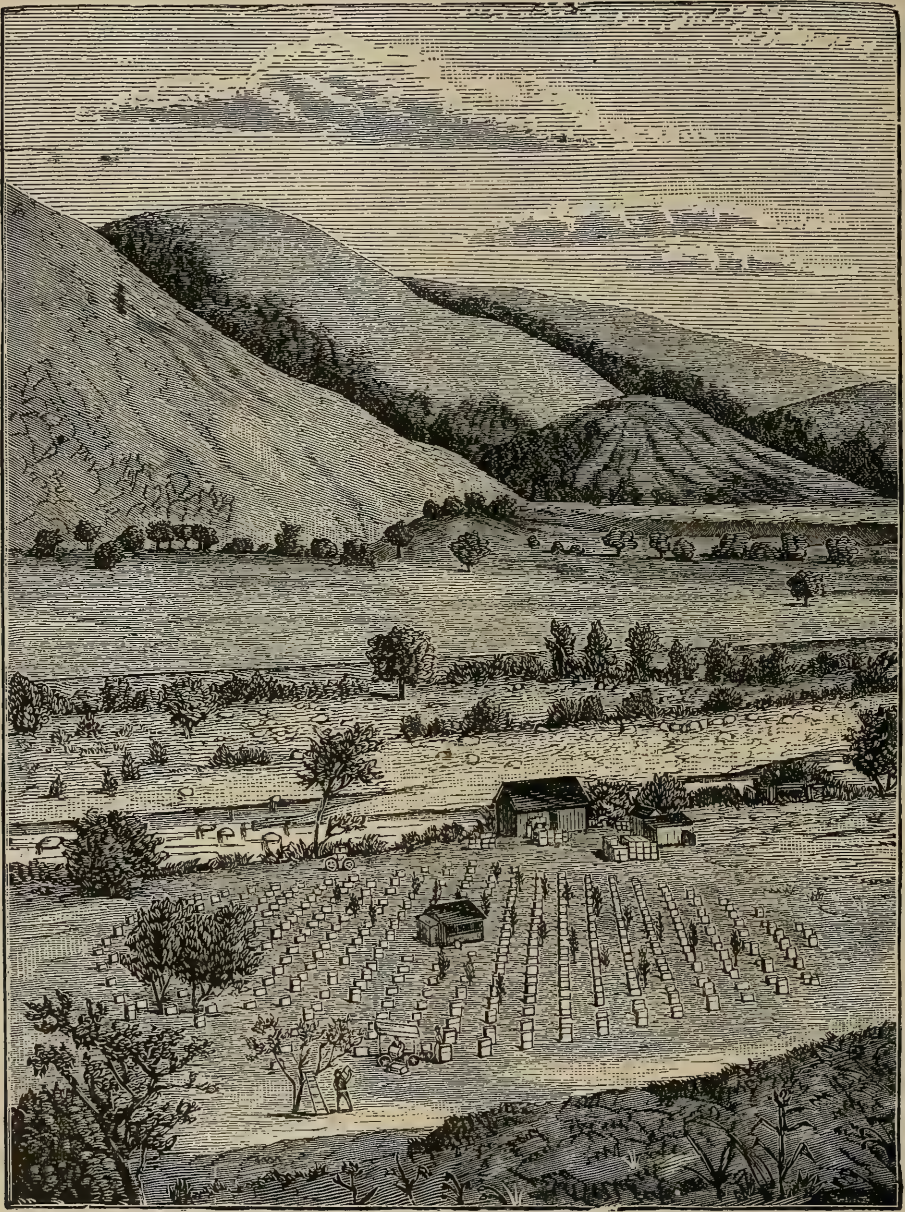
provides the means of exposure of the fruit in such a way as to secure the heat in the most effective manner. This industry is highly remunerative. The work is so light and pleasant that the labor of women and children can be employed.

Grapes and Wines.— California has a world-wide reputation for the production of grapes and wines. The average number of vines per acre is about eight hundred, which gives an average yield of seven hundred gallons of wine and twenty of brandy. The average crop of grapes is about five thousand pounds per acre. The grape region extends from the southern boundary about six hundred miles northerly, with an average breadth of about one hundred miles. Port and other sweet wines, and white wines of a superior quality, are produced in the southern part of the State. The Coast Range, including Sonoma and Napa Counties, produce white and red acid wines, hock, sauterne, and excellent claret; and the foothills of the Sierra Nevada produce a superior quality of sherry and Madeira and other wines. California wines contain a larger percentage of alcohol than the Spanish or French wines. They are placed on the market in their purity; and, with age, find favor in all the markets of the world. The culture of the grape, both for wine and brandy, and as a table fruit, has become unprecedented in extent. Twenty acres, properly planted with the right quality of cuttings, with careful cultivation, will yield a revenue to the owner of $1,000 per year, every year, one with another, as sure as a note with real estate security will bring ten per cent per annum. Forty acres of land is enough for any man to handle as a vineyard — twenty acres of this land might be better, in fact; and the young man, the middle-aged man, or the old man, with or without a family, who can procure twenty acres of this land, and can for two years live upon and cultivate a portion of it as a vineyard, will be better off in a little while, healthier and happier, than if he were a clerk, mechanic, laborer, or a small merchant in the city; and his children will be stronger in every way, and better able to fight the battle of life than they would if raised in any city.

Minor Crops.— Among the products of our State are rye, buckwheat, beans, peanuts, sweet-potatoes, onions and flax; but the quantities are not large, and they require no special comment. The white, or Irish, potatoes are remarkable for their large size and the abundance of the product in the sandy, moist soil near the ocean. It is not uncommon to hear of single ones weighing three pounds, measuring more than a foot long, four inches wide, and two or three inches thick. Hay is nearly all cut either from natural pasture, such as wild oats, or from unripe wheat or barley. The hop is cultivated extensively and with much profit. The sugar-beet is grown to supply two sugar-beet mills. Cotton has been grown with profit, and may become important in the agriculture of California. About a thousand acres are cultivated in tobacco, which is cured under a new and ingenious plan, discovered and patented in this State. The cigars and tobacco, so far produced, are not uniform in quality; but some brands rival fine articles from Havana and Virginia, and they promise well for the future. The sandy soils, abundantly supplied with moisture suitable for kitchen vegetables, are of small extent, but no market has a better or more varied supply than San Francisco.

Those vegetables which have brief seasons of a month or two on the Atlantic side of our continent may be found here for six or eight months, and some of them throughout the year.

Notes on Irrigation.— The small rainfall from Goshen to Caliente, a distance of one hundred miles along the eastern side of the San Joaquin Valley, at its southern end, would indicate small hope for the agricultural value of that part of the State if there were no other resource for moisture; but, fortunately, the Sierra Nevada Mountains, with several hundred miles of area on their western slope, more than ten thousand feet above the sea level, lie alongside of this dry plain and catch vast quantities of rain and snow, valuable and convenient for irrigation. We have no exact observations of the amount of rain and snow on the Sierra Nevada Mountains; but we may assume, after adding an inch for each one hundred feet of elevation — figures justified by the observations elsewhere in the State — that the rainfall is one hundred and four inches in a season. The width of the western slope of the mountains is more than forty miles, giving for a length of one hundred miles a " catchment area " of four thousand square miles; and the average elevation being estimated at not less than 5,000 feet — an average precipitation of fifty inches, or more than four feet. One foot of water is considered sufficient for ordinary irrigation purposes, so that each acre of mountain catches enough water to irrigate four acres of valley; but a large allowance must be made for evaporation and waste. The following are the catchment areas of the streams flowing down the western slope of the south end of the Sierra Nevada, as given in the United States Irrigation Report, viz.: King's River, 1,853 square miles; Kaweah River, 1,608 square miles; Tule River, 446 square miles; Deer Creek, 150 square miles; White River, 140 square miles; Posa Creek, 268 square miles; Kern River, 2,382 square miles, and Walker's Creek, 461 square miles — a total of 7,308 square miles. On the western side of the valley, we find the following streams flowing into the San Joaquin Valley from the Coast Range, viz.: San Luis Creek, 81 square miles; Banos Creek, 125 square miles; Saucelitos Creek, 71 square miles; Little Panoche Creek, 136 square miles; Big Panoche Creek, 118 square miles; Cantua Creek, 164 square miles, and Gatos Creek, 343 square miles — a total of 1,038 square miles of catchment area. On the other hand, the plain is not so wide as the mountain slope; and thus a considerable surplus is assured if the water can be caught and economized, as we know from the opinion of experts that it can. Few districts of equal size in the world can be irrigated at so little expense as a great part of the San Joaquin Valley. American farmers generally have no idea of the value of irrigation in a country where there is not an inch of rain in average seasons from June to October, inclusive, and where even in the other seven months the annual rainfall does not exceed twenty inches in some parts of California. In the moist atmosphere, the wet summers and the cold winters of the Atlantic slope, they have never felt the need of supplying water to their fields by artificial channels. In Hindostan $50,000,000 have been spent in irrigation works with great profit to the country; Lombardy and Piedmont have 1,600,000 acres under irrigation, and owe much of their wealth to their canals; and, as the United States Irrigation Commission says: "It is estimated that there have been expended for the irrigation of 1,000,000 acres in Lombardy not less than $200,000,000. This expenditure has been spread over seven hundred years, and has made Lombardy a garden." Lombardy has the best cultivation, the handsomest inhabitants, and the densest population in Europe. The reader may learn more upon these points by turning to the article on Lombardy in the *American Cyclopedia.* In Spain, which has a climate and soil similar to those of California, but more rain, and fifteen times more people in proportion to area, irrigated land is sold at various prices, from $600 to $2,500 per acre; while land not irrigated never brings more than one-fourth as much, sometimes not more than one-fourteenth. These facts are derived from the report of the Federal Irrigation Commission. Large districts in Southern California are better situated for irrigation than Italy or Spain. Land which with wild grass and without irrigation will not support more than one sheep upon an acre, when irrigated and cultivated in alfalfa will support twenty and if the alfalfa be not used for pasture it can be mown five times in a year, yielding two or three tons of hay to the acre at each cutting. If cultivated in grain or common kitchen vegetables, *two or more crops can be gathered in a year.* Such facts suggest some of the reasons why irrigated fields command prices so much greater than can be got for dry lands. Irrigating-canals in Kern, Tulare, Fresno, Los Angeles and San Bernardino Counties have an aggregate length of not less than 1,100 miles, and considerable additions to them will be made every year. In addition to the facilities for irrigation by canals from the snow-fed streams of the Sierra Nevada, and from collecting the winter rains in artificial reservoirs, much may be done with artesian wells, of which California has a larger number in proportion to her population than any other part of the world. Los Angeles County has more than three hundred; and of these eighty were bored in the first half of 1876. One throws up water enough to irrigate two hundred acres of land. There are several hundred in Santa Clara County; others in Fresno, Kern, Tulare, San Bernardino and Monterey Counties. Wind-mills are used extensively for irrigating fields in those places where the water stands within a short distance of the surface of the ground—that is, if water will not rise above the surface through artesian borings, which are cheaper in the course of years than wind-mills, even where surface water can be found by digging only ten feet. The United States Irrigation Report made in 1874, by General B. S. Alexander, Colonel G. H. Mendell, and Professor George Davidson, treating of the Sacramento-San Joaquin Valley, says: "We elsewhere state that the area of the lands which may be readily irrigated is about 7,650,000 acres; and, if we include what are called swamp or overflowed lands, this area is increased to 13,300 square miles, or 8,500,000 acres; but if the low foothills are included, it is estimated that 18,750 square miles or 12,000,000 acres are capable of irrigation. In the former case, the area of catchment outside of the lands to be irrigated is between three and three and a half square miles to each square mile to be irrigated, while in the latter case it is about three square miles to one. Now, if a monthly average of three inches of the rainfall over the whole area of catchment was delivered during the rainy season by all the streams they would furnish a supply equal to a monthly average depth of ten inches of water over the whole of the first-mentioned area. Of course, in consecutive seasons of drought this amount would be much decreased. From rough observations of the actual discharge of Kern River near the end of May, 1873, it was



A HONEY FARM IN LOS ANGELES COUNTY, CALIFORNIA.

found to be equal to a depth of one and a half inches per month from the whole area of catchment of 2,400 square miles. This would give a depth of three inches for irrigation over 1,200 square miles, or 768,000 acres, which is larger than its natural irrigation district. Or, to express the foregoing quantity in other terms, the Kern River in May was daily discharging a body of water equal to a stratum of three inches deep over an area of 25,600 acres. The discharge was doubtless much larger from the middle of February to the end of March, when the waters of irrigation are most needed. These partial results are very suggestive and satisfactory; and we are convinced that the whole eastern side of the valley northward of the Kern River will yield more ample supplies of water. The soil throughout the great valley is of the best and most readily-worked character; but the Commission has not the data to enter into a detailed description of such an extensive region. But it will not be the great valley alone which will be filled with people; the valley of every stream, large and small, will be cultivated with part of the water which will subsequently reach the lower lands. This great basin should in twenty years become the granary of the world. The effects of irrigation will be permanently advantageous; because, when the soil once becomes moistened, it will subsequently require the application of less water for each crop; and, when once a thorough and comprehensive system is adopted, the waters could readily be applied, if necessary, before the first rains to soften the ground and make it fit for the plow."

CALIFORNIA THE PLACE FOR SMALL FARMERS.

California is undoubtedly the best part of the United States for small farmers. It is very common to hear American farmers who have removed to California from Iowa, Minnesota, Illinois, Kansas, or Missouri, say that they make more money from twenty acres in California than they made from one hundred and sixty acres in any of the other States, and with far less labor. The reason for this is that the climate of California is favorable to the growth of fruits which bring a high price in the market; and which, when dried or preserved, have a sale all over the United States and in Europe. Thus, on a small piece of ground in California, the farmer is surer of a living, and of money in his pocket, than he is on much more ground in other States, where he can raise only corn, or wheat, or hogs.

California for Men with Small Means.—For men with some money, say from eight hundred to two thousand dollars, California is a better State than any other in the United States, for the following reasons: It has a very great quantity of new and very rich land, open to purchase and settlement at very cheap prices. This land lies always near a railroad, because every valley and part of the State suitable to agriculture is now penetrated by railroads; and the settler is able to buy cheap lands with good titles near railroad lines in every part of the State.

Great Advantages of the California Climate.—The climate of California makes expensive houses needless. Snow is very rare in even the most northern parts of the State; and there is only very slight and occasional frost during the winter. The farmer needs no barns for his horses, cows or sheep. He does not need to store hay for his animals; for the winter rains make all the grasses grow luxuriantly from November to May; and cattle, sheep and horses graze in the fields all the winter through without shelter, and with very little care. This is the reason why the sheep culture has been so generally profitable in all parts of California.

ORDER OF THE SEASONS IN CALIFORNIA.— The farmer in California begins to plow in November; and where wheat, barley and other grains are grown, the land can be plowed from November to March, and the seed put in safely up to the first of April. Thus, it is not uncommon for one man, with the plow such as is used in California, drawn by six, eight or ten horses, to prepare and seed in wheat, in a single season, five or six hundred acres of land. So, also, the vineyards, the orange and lemon, almond, olive, apricot, prune and other orchards, which are so immensely profitable in California, are cultivated all the winter through.

CHEAPNESS OF LIVING.— In California the mild and healthful winters make all expense for firewood or fuel very small. It is well established that what an emigrant settling in Iowa, Minnesota, or Kansas must pay out in two of the severe winters of those States, to keep his family and his cattle warm and comfortable, would buy him a farm in California, and build him all the house he needs for his family.

WAGES IN CALIFORNIA.— The usual wages for farm laborers in California are from one dollar to a dollar and a half (American) per day; and in the harvest season the workman gets, during four or five months, from two to two and a half dollars per day, and three good meals of bread and butter, meat, potatoes and coffee besides. Where men are engaged on farms by the month, for the whole year, they get from thirty to forty American dollars per month and their food, consisting, as above, of bread and butter, meat, potatoes, and other vegetables, and coffee or tea, three times a day. California is a land of the most abundant food; and the farmer does not stint the food of his workman. Where a man has enough money to buy a team of horses and some plows and harrows, he can get work for himself and his horses nearly all the year, at from three to four dollars, and sometimes five dollars per day, the pay being the highest in the harvest season. The food of horses costs very little in the agricultural parts of the State. Usually a man who owns a team of horses sows five acres of alfalfa (a kind of clover that may be cut six or eight times a year), and from this he gets feed enough for horses, a cow, pigs, and chickens all the year round, needing to buy only a little barley for his working-horses. The great need of California is men who can and will work; and in every part of the State, from the farthest south to the farthest north, the emigrant without money, but with strong arms and good habits, can get immediate and constant employment on land, at as high or higher wages than are paid any where else in the United States for the same work. Girls and women who wish to serve as cooks and chambermaids in houses are equally certain of immediate employment. In nearly every village along the railroads of California, still more in every important town, there is a strong demand for industrious and willing men and women as farm laborers and as house servants — a demand which constantly increases, and which will not be fully supplied, probably, for many years.

NOTES UPON THE CLIMATE AND HEALTHFULNESS OF CALIFORNIA.

OF paramount concern to the emigrant is the climate and healthfulness of that section of country which is to be the locality of his future labors and the home for himself and family. What to him, indeed, are fair fields and flowering plains, if miasma insidiously lifts its head? What are soft and perfumed breezes, if they waft the seeds of pestilence and death? What are bountiful harvests of golden grain or orchards of luscious fruits (or all the wealth the world can yield), if disease must continually cross the threshold and take away the beautiful blossoms of the family tree? The author is of the impression that the first questions in the mind of most heads of families coming West are those of climate and temperature; for upon these must depend, to a great extent, the amount of labor necessary to the culture of the great staples of food, and, what is more primarily essential, the condition of physical health superinduced thereby. An examination of the books of Blodgett, Loomis, Herschal, and others, will show that no other part of the world has a climate so equable and favorable from January to December. The very fact that many persons *sleep in blankets the year round, and that all field work from January to December is performed by laborers in their shirt sleeves,* presents a better and more unequivocal illustration of the equability of the climate and temperature of California, perhaps, than any other incident that could be given. The superiority of the climate of California over that of Italy has been mentioned by many noted travelers. The London *Spectator* says the climate of California and of Tasmania are "the nearest perfection in the world." C. L. Brace says "it is the most exhilarating." Samuel Bowles says "there is a steady tone in the atmosphere like draughts of champagne." Robert von Schlagintweit says "it is like Italy's climate, except that it is not so enervating." It is a common saying that no people have so much local pride as the Californians, and none are so discontented when they have to move to another State or country. Much of their attachment to the land is caused by the geniality of its sky. Fort Yuma has three hundred cloudless days in a year; San Bernardino has two hundred and seventy-five; Los Angeles and the southern part of the San Joaquin Valley two hundred and twenty; New York, one hundred and twenty; London, sixty. Milan is the chief city of Lombardy, a province in which the fig, the olive, and the grape are extensively cultivated. Nice is the center of a region considered more salubrious, at least in winter, than any other part of Europe. Dijon is in the champagne district of France. Naples is the typical city of the south of peninsular Italy. These four places are fair representatives of the climates of France and Italy; they can make no claim to superiority when compared with California. Many of our towns have warmer winters, cooler summers, and less frost in the spring. All the attractions that the clear skies of Greece and Italy have had from remote times for the natives of the cloudy north are possessed in a superior degree by our State.

As climatic evidence, the following table is presented, giving the results of observations at various points in California, as compared with some of the world's noted climates: —

MEAN TEMPERATURE.

PLACE.	JAN.	JULY.	DIFF.	LAT.	RAINFALL.
	Deg.	Deg.	Deg.	° ′	Inches.
Austin, Texas	36	84	48	30.00	40
Cincinnati, Ohio	21	77	56	39.06	42
Chicago, Illinois	10	63	53	41.00	40
City of Mexico	52	63	11	19.26	30
Delano, California	47	86	39	35.00	3
Dijon, France	33	70	37	47.00	35
Fort Yuma, Arizona	56	92	36	32.43	3
Genoa, Italy	46	77	31	44.24	40
Gilroy, California	41	78	37	37.00	31
Honolulu	71	78	7	21.16	17
Hollister, California	48	73	25	36.00	17
Jacksonville, Florida	58	80	22	30.50	60
Los Angeles, California	55	67	12	34.04	22
Monterey, California	52	58	6	36.36	15
Milan, Italy	33	74	41	45.00	35
New York	31	77	46	40.37	59
New Orleans, Louisiana	55	82	27	29.57	61
Naples, Italy	46	76	30	40.52	30
Nice, France	47	75	28	43.00	25
Pajaro, California	49	58	9	36.00	26
Richmond, Virginia	33	77	44	37.00	45
San Francisco, California	48	58	10	36.36	25
Santa Barbara, California	56	66	10	34.24	15
San Diego, California	57	65	8	32.41	12
Sacramento, California	45	73	28	38.34	19
Stockton, California	49	72	23	37.56	13
San Mateo, California	46	59	13	37.00	26
San Jose, California	46	69	23	37.00	15
Salinas, California	47	65	18	36.00	19
Soledad, California	43	70	27	36.00	14
Savannah, Georgia	39	82	43	32.00	45
St. Augustine, Florida	59	77	18	30.05	65
Vallejo, California	48	67	19	38.05	28

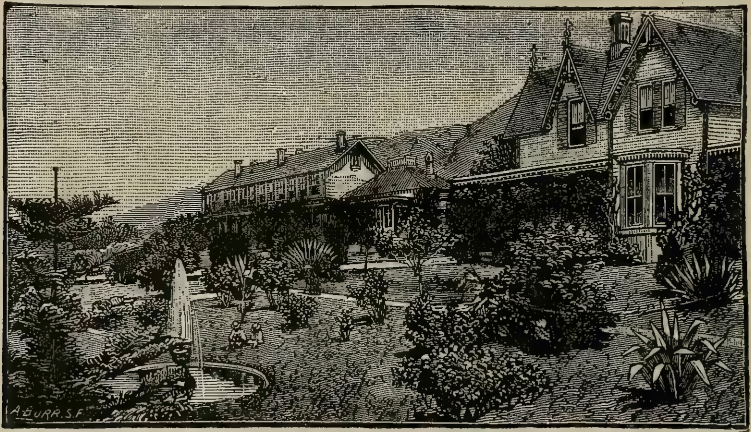
The climates of Central California may be grouped into coast climate, climate of the interior valley, climate of the Sierra slope. The first has a small range of temperature, slight fogs, and sea breezes. The second has a greater summer temperature than on the coast, a dry northerly wind at times, and no fog. On the Sierra slopes, also northward in the Coast Range, the climate as we ascend approaches more and more to that of New England until we reach the snow line. In many counties thirty miles travel takes one from where oranges grow to where only hardy fruit trees prosper. The general features of these three climates of which we have spoken mingle or are interchanged, according as the valleys open toward the sea, or away from it, or slope northward or south. The minimum temperature generally of Ohio in January is 10° below zero, or 42° below the freezing point, or, as we say, 42° of frost — whereas most of the valleys of California do

A WINTER SCENE IN CALIFORNIA.

not have more than two degrees of frost, and many of them none at all. The mean temperature of Ohio in January is 21° Fahrenheit, indicating that the average day in that month has 11° of frost, whereas the average January day of a large portion of California is at least 22° warmer than in Ohio. At Augusta (Georgia), in latitude 33°, as we learn from Blodgett's Climatology, the thermometer has fallen to 4° below zero, or 20° below the greatest cold observed in this State at Marysville, in latitude 39°. The figures for the southern coast of California, from Santa Barbara to San Diego, a distance of one hundred and fifty miles, are nearly the same as those of Los Angeles, though in many places several degrees

WINTER WEATHER ELSEWHERE IN THE WORLD.

warmer in winter and cooler in summer. Savannah (Georgia), in the same latitude with San Diego, has a minimum temperature of 22° in January and 37° in April — figures considerably below those that prevail in the valleys of California. It is the severity of the occasional frosts that prevents the cultivation of the fig, orange, pomegranate, date-palm, olive, eucalyptus, and other delicate plants in South Carolina, Georgia and Tennessee, though they thrive in the same latitudes on this side of the continent. Austin (Texas) farther south than any part of our State, is much cooler in winter than the California valleys, 10° farther north. Three-fourths of the State has its rainfall between November and April, and eight months of the year is practically rainless, which facilitates and cheapens farm operations. Over many parts of California the rainfall is not more than ten inches on an average, and when it falls below this, artificial irrigation is usually needed. The available supply of water, however, is large enough for any demand, if properly husbanded. The deaths for each one thousand inhabitants in several of the leading cities of the United States are presented in the following table, and the comparison cannot fail to be suggestive:



SIERRA MADRE VILLA—A MODEL MOUNTAIN HOME.

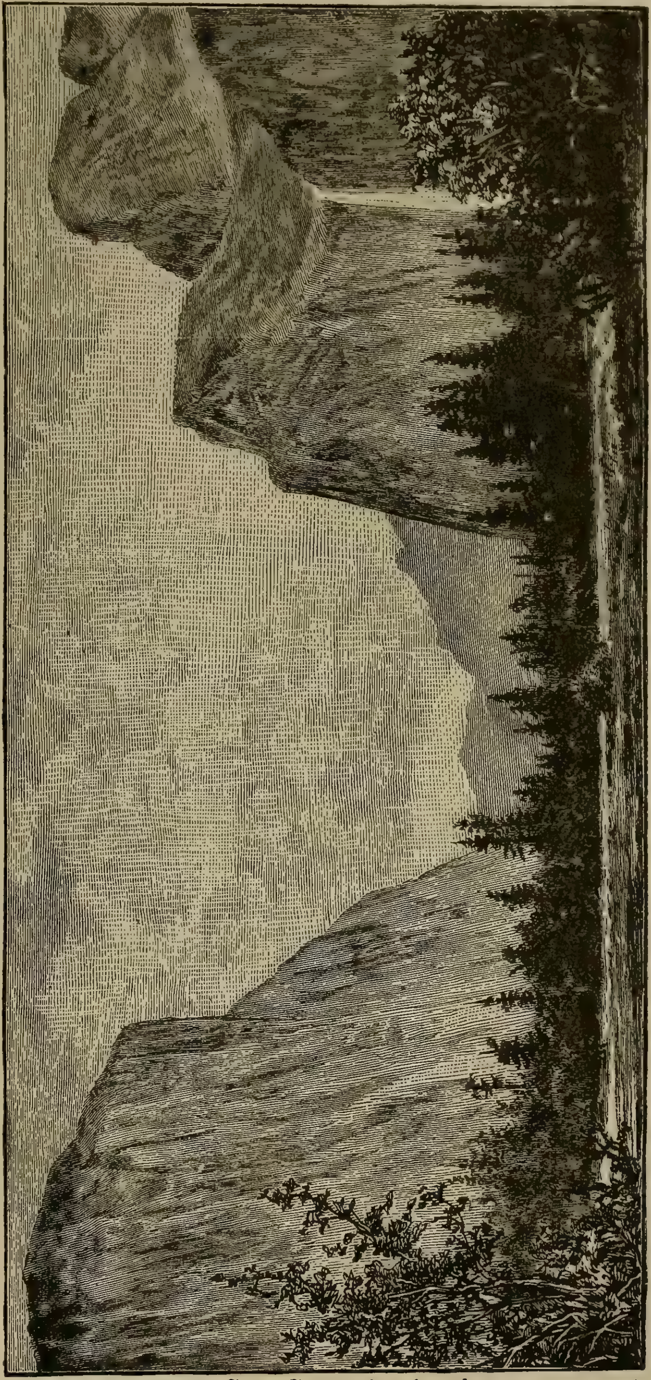
St. Louis	24	New York	29
San Francisco, California	20	New Orleans	37
Boston	24	Los Angeles, California	13
Chicago	24	San Diego, California	13
Sacramento, California	19	Santa Barbara, California	13
Baltimore	27	Monterey, California	10

Cold with moisture leads to pulmonary diseases; heat with moisture leads to malarial fevers; and pulmonary and malarial affections are two of the main classes of mortal disease. Fevers carry off about fourteen per cent of the people of the Atlantic States of America directly; but indirectly they lead to a much larger proportion of deaths, for they there attack nearly everybody at some period of life, and by enfeebling their systems, prepare many to die by attacks of other diseases. In Massachusetts twenty-nine per cent of all the deaths are caused by diseases of the respiratory organs; in London, twenty-six per cent; in Michigan, twenty-four per cent, and in New York City, twenty per cent. Proceeding southward toward the Gulf of Mexico, consumption decreases, but the more rapidly fatal disease of pneumonia takes its place, together with meningitis and nervous disorganization. It is safe to say that one-half of the people of the Atlantic, Middle, and Gulf States die directly or indirectly by disorders in the functions of the respiratory organs, or by fevers. Blodgett, who published his works on Climatology, in 1857, was so favorably impressed with the salubrious points of Southern California meteorology, that he felt no hesitancy in declaring that not more than four per cent of the natives of California would die from the effect of pulmonary complaints. Other eminent writers, who have made the examination of climate and healthfulness a life study, declare that fevers and diseases of the malarial character carry off about one-half of mankind, and diseases of the respiratory organs one-fourth. From such diseases many of the towns of California are remarkably free. The dryness of the atmosphere prevents malarious disease, and is also a great relief to consumptives. *Cholera, yellow fever, sunstroke, and ravages by wind storms are unknown!*

The head of a family is also interested quite as much nowadays in the educational facilities afforded by the new State in which he intends to take up his permanent residence as in its climate and soil. Suffice it to say that no State in the Union spends more relatively on its common schools, or has a better educational system, or more competent teachers. The common schools are all or nearly all provided with libraries for the use of the children. The people generally are distinguished for their intelligence and civility. Churches and benevolent associations are numerous, and Californian society lacks none of the influences that contribute to the refinement of manners or the enjoyment of life.

HEALTH AND PLEASURE RESORTS OF CALIFORNIA.

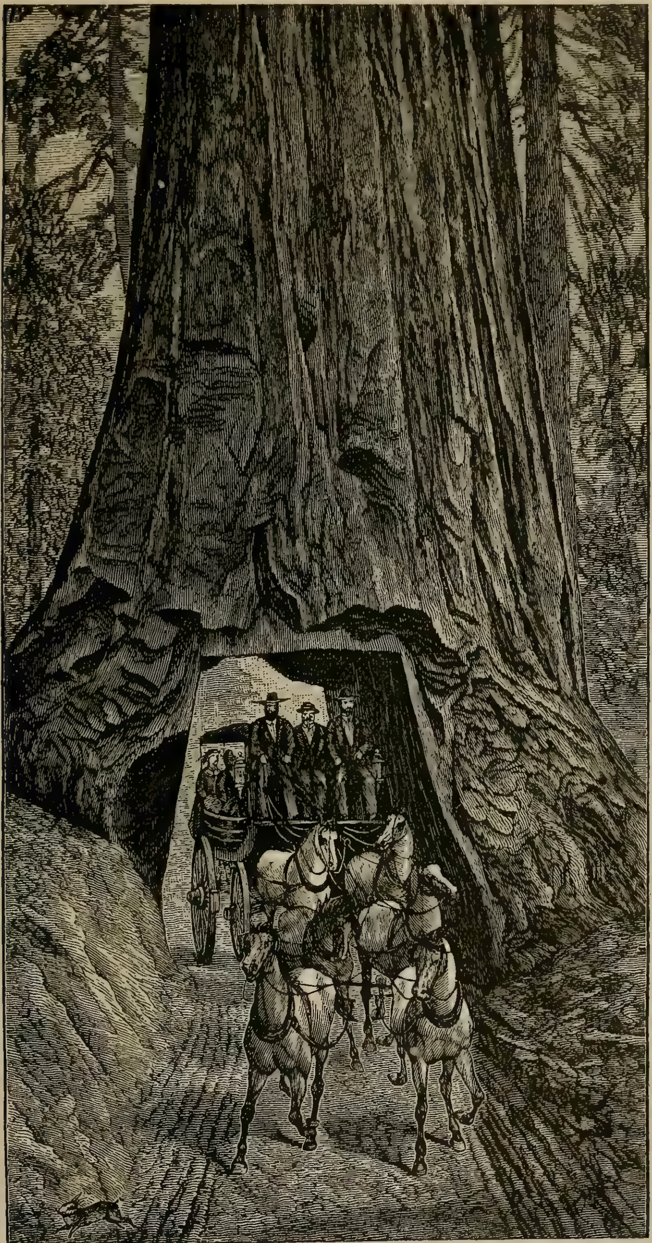
ALL who visit the Golden State, as well as its residents, admit that it is amply provided with health and pleasure resorts — a great many of which have no equals elsewhere in the world. Certainly, there is no other Yosemite, that we know of, on either hemisphere; nor no trees that seem to touch the sky and display a circumference of an hundred feet. Yosemite Valley is a marvel of grand and magnificent scenery, which no tongue or pen can adequately describe. It is two hundred and seventy-five miles from San Francisco, one hundred and eighty-five miles of which is by rail. Horace Greeley wrote of this Valley of Wonders as follows: "Of all the grand sights I have enjoyed — Rome from the dome of St. Peter's; the Alps from the valley of Lake Como; Mount Blanc and the glaciers; Niagara and Yosemite — I judge the last named the most unique and stupendous. It is the grandest marvel that ever met my gaze." Conspicuous among the wonders of the Yosemite Valley is El Capitan, a solid block of granite, seven times higher than the spire of the Strasburg Cathedral, and nearly eight times as high as the extremity of the cross of St. Peter's at Rome; then there is the Bridal Vail Falls, 900 feet; also Cathedral Rock, 2,660 feet; Three Brothers, 3,830 feet; The Sentinel, 3,043 feet, Yosemite Falls, 2,526 feet; the Dome, 3,568 feet; Half Dome, 4,737 feet; Cloud's Rest, 6,150 feet; Vernal Falls, 400 feet; Nevada Falls, 600 feet; Glacier Point, 3,200 feet; Sentinel Dome, 4,150 feet, Merced River, Mirror Lake, and many other great attractions. The Geysers, ninety-three miles from San Francisco, are also worth going quite a distance to see. The Big Trees of Calaveras and Mariposa counties are second only to the Yosemite Valley in point of attractiveness, and are the largest trees known in the world. The groves of the Big Trees are limited in latitude between 36° and 38° 15′ nearly; at least, so far as we now know. The Calaveras Grove is the most northerly, and the one on the south fork of the Tule is the farthest south of any yet known to us. They are also quite limited in vertical range, since they nowhere descend much below 5,000 or rise above 7,000 feet. They follow the other trees of California, in this respect, that they occur lower down on the Sierra as we go northwards; the most northerly grove, that of Calaveras, is the lowest in elevation above the sea-level. There are eight distinct patches or groves of the Big Trees — or nine, if we should consider the Mariposa trees as belonging to two different groups, which is hardly necessary, inasmuch as there is only a ridge half a mile in width separating the upper grove from the lower. The eight groves are, in the geographical order from north to south: first, the Calaveras; second, the Stanislaus; third, Crane Flat; fourth, Mariposa; fifth, Fresno; sixth, King's and Kaweah Rivers; seventh, North Fork Tule River; eighth, South Fork Tule River. The Calaveras Grove is one hundred and seventy-five miles from San Francisco; one hundred and three miles of which are by rail; the Mariposa Grove is two hundred and fifty-five miles from San Francisco, one hundred and eighty-five miles of which are by rail. Among the noted mountains are Shasta, 14,400 feet high; Lassen's Peaks, 10,577 feet; Mount Diablo, 3,856 feet; St. Helena, 4,343 feet; Mount Hamilton, 4,440 feet; Mount Dana, 13,300 feet; Mount Whitney, the highest peak in California, 15,000 feet; near Whitney is Mount Tyndall, 14,386 feet in height. Mount Ripley, in Lake County, is 7,500 feet. Mount San Bernardino, in San Bernardino County, is nearly 9,000, San Gorgonio, in the same county is



LOWER PART OF YOSEMITE VALLEY—EL CAPITAN ON THE LEFT AND BRIDAL VAIL FALLS ON THE RIGHT.

over 7,500; the Loma Prieta, in Monterey County (Gabilan range), is 4,040; Mount Brewer, in Fresno County, 13,886; Mount King, same county, 14,000 feet. Tehachapi is nearly 8,000 feet; Table Mountain, in the northern part of the State, is 6,500 feet; the Sierra Buttes, thirteen miles east of Downieville, are 8,300 feet; Table Mountain, on the Stanislaus River, is a mass of basaltic lava, thirty-eight miles in length and 2,000 feet in height. Mount San Jacinto, San Diego County, is 5,500 feet. The principal lakes are Tahoe, Tulare, Donner, Webber, Independence, Clear, and Blue Lakes, although there are hundreds of smaller ones. The principal rivers are the Sacramento, San Joaquin, Kings, Kern, McCloud, Salinas, Russian, Los Angeles, San Gabriel, Santa Ana, Colorado, and many others. Sea-side resorts are numerous, and, unlike those in other parts of the world, are kept open the year round. Monterey, the "Queen of American Watering Places" (one hundred and twenty-five miles by rail from San Francisco), has long been noted for its equable temperature and for its health-giving atmosphere and breezes. It was founded one hundred and thirteen years ago by the Franciscan Missionaries, whose landmarks of civilization dot the Pacific Coast, here and there, from the Mexican border to San Francisco. It was the first capital of California, and has always enjoyed amongst old Californians, the reputation of being one of the most healthful and one of the most delightful spots in their State. There is probably no place upon the sea-shore in our State so replete with natural charms as Monterey. Its exquisite beauty and variety of scenery is diversified with ocean, bay, lake, and streamlet; mountain, hill, and valley, and groves of oak, cypress, spruce, pine, and other trees. The Bay of Monterey is a magnificent sheet of water, and is twenty-eight miles from point to point. It is delightfully adapted to boating and yachting; and many kinds of fish (and especially rock-cod, barracuda, pompino, Spanish mackerel and flounder,) may be taken at all seasons of the year. For bathing purposes the beach is all that could be desired — one long, bold sweep of wide, gently sloping, clean white sand — the very perfection of a bathing-beach; and so safe that children may play and bathe upon it with entire security. There are also great varieties of sea-mosses, shells, pebbles, and agates scattered here and there along the rim of the bay, fringed as it is at all times with the creamy ripple of the surf. The beach is only a few minutes walk from the Hotel del Monte, and is a very fine one. Mr. W. H. Daily, for a long time the champion swimmer of the Pacific Coast, and who has made himself well acquainted with the character of several of the most noted beaches from San Francisco to Santa Monica, says in a letter dated *Monterey, December 15, 1879:* "I have made a careful examination of the beach at this place, as to its fitness for purposes of bathing. I find it an easy, sloping beach of fine sand; no gravel, no stones anywhere below high-water mark. I waded and swam up the beach a quarter of a mile, that is, toward the east, and also westward toward the warehouse, and found a smooth, sandy bottom all the way — no rocks, no sea-weed, and no undertow. The whiteness of the sand makes the water beautifully clear. I consider the beach here the finest on the Pacific

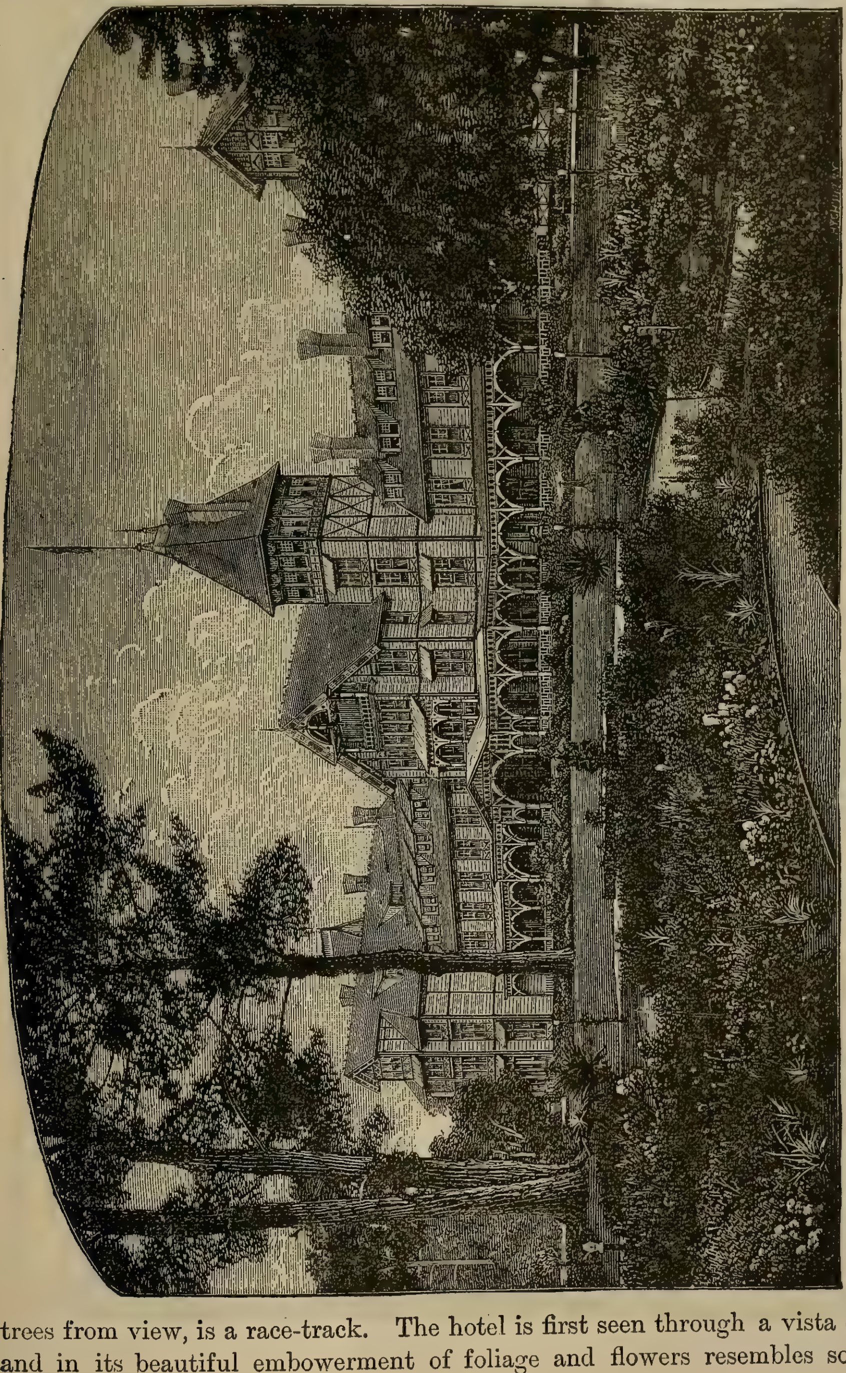
Coast. *I was in the water an hour yesterday, and found it, even at this time of the year, none too cold for enjoyable bathing.*" At Monterey is the Hotel del Monte, which, without question, is the handsomest watering-place hotel in America. No sea-side hotel upon the Atlantic coast can approach its plan of exterior, while its interior design and finish display the same refined taste and lavish use of wealth. In a word, the wealthy proprietors of this beautiful retreat had no other aim than to supplement nature by art. Where nature had been so lavish in its provisions, they felt that no common device would seem appropriate, and the question of returns for their outlay in dollars and cents appears scarcely to have entered into their calculations. The hotel is 385 feet in length and 115 feet in width, with wings. There are three stories and additional floors in the broad towers. All the rooms are lofty, light and airy, and all are of liberal size. In fact, the average eastern hotel, with the same space at command, would increase its capacity at least twofold. The office, or lobby, in the front center of the building, is a delightful apartment



A DRIVE THROUGH ONE OF THE BIG TREES OF CALIFORNIA.
32½ FEET IN DIAMETER.

42 by 48 feet, containing a mammoth fireplace. As in the best eastern resorts, the office is intended as much for the occupancy of ladies as for gentlemen. Connected with the lobby is a pleasant reading and writing room, 24 by 26 feet, and beyond this and entered from the spacious hallway, is a ladies' billiard-room, 25 by 62 feet, one of the largest, and at the same time most elegant apartments for such uses to be found in any hotel in America. A ladies' parlor, 34 by 42 feet, lies beyond this room, and partly in the rear and approached by means of both a hallway and a covered veranda, is a fine ballroom, 36 by 72 feet. A hall or corridor twelve feet wide extends the whole length of the building. The dining-room is an elegant apartment 45 by 70 feet, and there is also a dining-room for children and servants, and rooms for private parties. The kitchen is 33 by 40 feet. There are 28 *suites* of rooms on the lower floor. There are three staircases, one at the intersection of each of the end wings, and the third, the grand staircase, leading from the office in the center. In rear of, and communicating with the latter, is the dining-room. In the second-story there are 48 *suites*, or about 100 rooms, with a hall or promenade twelve feet in width. In the remaining story there are 13 *suites* and 29 single rooms — 65 apartments in all. The central tower or observatory is 25 by 30 feet and about 80 feet high, and the end towers are 50 feet in height. There are ten rooms in the large tower. There has been an addition built lately, with sixty apartments, so that three hundred guests can be accommodated. The hotel is lighted throughout with gas made at the works upon the grounds, and supplied with pure water from the Carmel River. No pains have been spared to provide against fire, both in the perfect construction of flues and in the apparatus for extinguishing flames. The house is elegantly furnished throughout, and is kept so scrupulously neat and clean that the visitor is sure to think it can have been opened but yesterday. The bar, bowling-alley, and smoking-room are contained in a separate building, and still further away, hidden by the trees, is a finely appointed stable and carriage-house. As driving constitutes one of the leading amusements of Monterey, these latter provisions have been especially looked after. The stable has accommodations for sixty or more horses, and there is telephonic communication between hotel and stable. Both hot and cold water are carried through the hotel in pipes, and the house is provided with all modern appliances and improvements. There are bath-rooms on the different floors free to the guests. In front and at the ends of the house are broad, shaded verandas, where the guests may sit indolently in the easiest of lolling and "lazy" chairs, inhaling the pure air fresh from the ocean, perfumed with the aroma of flowers, or, preferring exercise, indulge in the gentle excitement of "shuffle-board." The grounds surrounding the hotel present the perfection of art in the way of landscape gardening. Under the direction of Mr. R. Ulrich, an accomplished landscape gardener, a corps of between forty and fifty men is kept constantly engaged in embellishing the gardens, avenues, and walks. The approach to the hotel from the railway station is by a winding avenue shaded by venerable trees, or by a graveled walk forming a more direct route. The distance is slight,

as the hotel has a station upon its own grounds. To the left is a little pond bearing its old Spanish title of Laguna del Rey. Still further away, but hidden by the



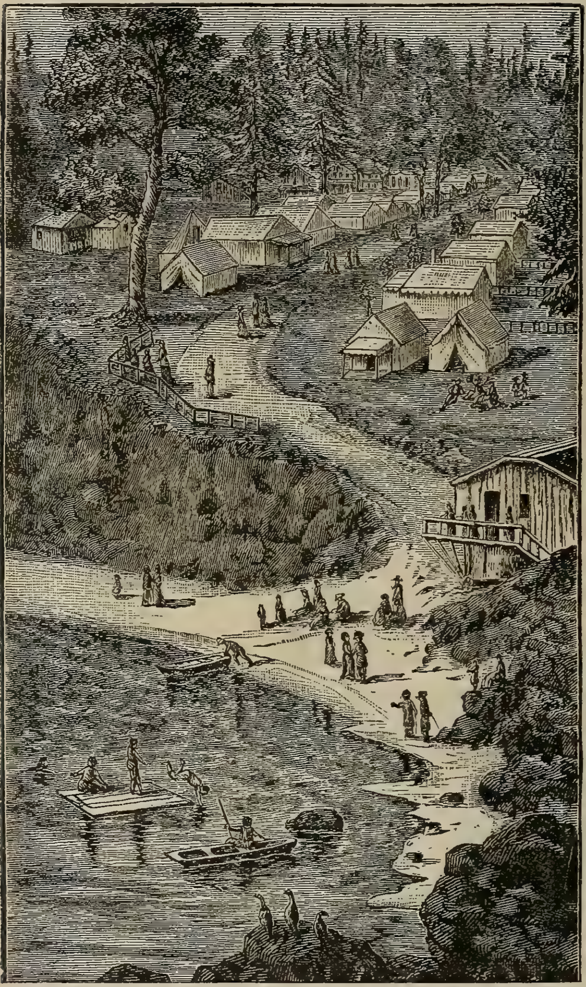
HOTEL DEL MONTE, FROM A PHOTOGRAPH BY WATKINS, TAKEN IN JANUARY, 1883.

"Where a leaf never dies in the still blooming bowers,
And the bee banquets on thro' a whole year of flowers."

trees from view, is a race-track. The hotel is first seen through a vista of trees, and in its beautiful embowerment of foliage and flowers resembles some rich private home in the midst of a broad park. This impression is heightened when the broader extent of avenues, lawns, and flower-bordered walks come into

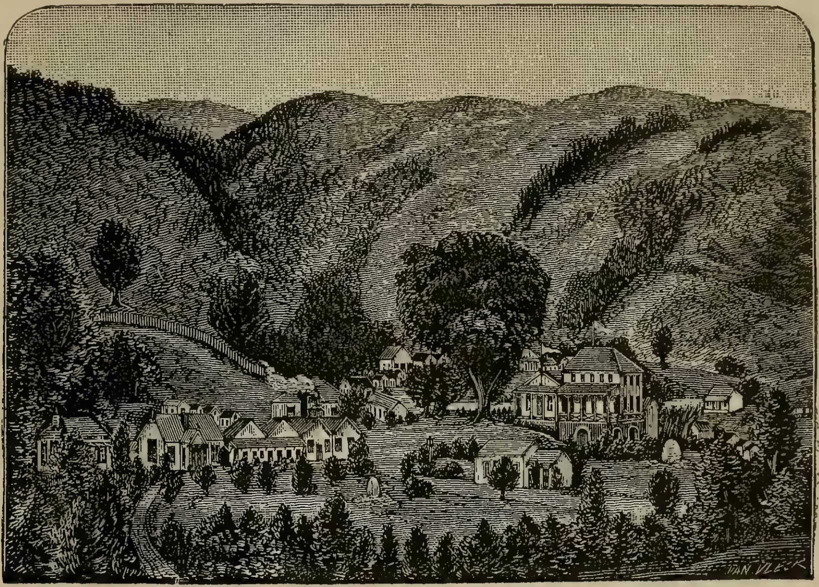
BAY OF MONTEREY—MONTEREY ON THE RIGHT AND SANTA CRUZ ON THE LEFT—AND BIRD'S EYE VIEW OF INTERIOR COUNTRY.

view. The gardener's art has turned many acres into a choice conservatory, where the richest flowers blossom in profusion. Here and there are swings, croquet-plats, an archery, lawn tennis grounds and bins of fine beach sand, the latter being intended for the use and delectation of the children who cannot await the bathing hour for the daily visit to the beach. The use of all these, as well as of the ladies' billiard-room, is free to guests. In all directions there are seats for loungers. Near Monterey is the Pacific Grove Retreat — or Christian Sea-side Resort — a less brilliant neighbor of Monterey than the Hotel del Monte, but none the less attractive in many respects, and is to the Pacific Coast what Nantucket, Martha's Vineyard, and Ocean Grove are to Atlantic sea-side resorts, except that the Pacific Grove Retreat has as equable a temperature as Monterey itself, and is kept open all the year round. It is delightfully situated on the beautiful bay of Monterey, less than two miles from the old town, and in loveliness of location cannot be excelled, its graceful pines extending to the water's edge. As a healthful place of resort, it is not surpassed by any locality in the world. It has long been established as a medical fact that a residence in a country wooded with pines is peculiarly beneficial to all those suffering from bronchial or throat affections. Added to this is the ozone from the sea air and the equability of climate from January to December. There are in the grove mineral waters of the very highest excellence for medicinal purposes, and reference can be given from persons well known throughout the State as to the advantages to be derived from their use. A careful analysis has proved them to be almost identical with the world-renowned waters of Cheltenham, England. Then there is Santa Cruz, a little over a hundred miles from San Francisco by rail, a most delightful and popular resort. "Grace Greenwood" (Mrs. Lippincott, of Washington), who visited California some years ago, thus wrote of Santa Cruz to the New York *Tribune:* "Santa Cruz is a beautiful smiling town seated on the knees of pleasant terraces with her feet in the sea." A correspondent of the Toronto *Globe*, writing from San Francisco to that paper on March 25, 1882, said: "Santa Cruz is, I think, one of the pleasantest places in California. I spent several days there — summer days in January — warm sunshine and blue skies almost every day. Stretched out before you are the bluish-green waters of Monterey Bay, and here is a beach for sea-bathing fully equal to that of Cape May, all nearly surrounded by mountains, the great Loma Prieta, hoary with its snow-covering, looming up above the rest. In almost every garden, the choicest roses were in full bloom, richer and more fragrant here than any I have seen in any other part of California, and the farming land in the vicinity appeared to be of excellent quality. The climate of Santa Cruz, and of Monterey, on the opposite side of the bay, is really more genial and equable than that of any part of Italy. Many of the citizens of San Francisco spend their summer months at Santa Cruz." Then there are Aptos, Pescadero, Camp Capitola, Santa Monica, Willmore City, Camp Goodall, New Brighton, Soquel, and many other ocean-side resorts of more or less renown. California has more hot and cold mineral springs than all other parts of the United States together. There is hardly a county in the State that there are not from one to scores of healing springs. The waters of our Paso Robles, Paraiso, Gilroy, Harbin, Byron, Seigler, and of other hot springs, are undoubtedly as beneficial for sciatica, rheumatism, gout, paralysis, palsy, and cutaneous complaints, as the famous waters of the Hot Springs of Arkansas. The cold soda and Vichy of Santa Clara County are as palatable and every bit as efficacious as the waters of Saratoga; the hot mineral waters of Lake, Napa, Sonoma, Plumas, Colusa, Los Angeles, Santa Barbara, San Bernardino, and San Diego Counties are, we believe, superior to any Eastern waters except, possibly, those of Arkansas; while many of the cold sulphur, soda, and chalybeate springs of Napa, Colusa, Lake, and Sonoma Counties excel even those of Bethesda (Wisconsin), Iuka (Mississippi), and Saratoga (New York). Our springs are all so accessible, too, that they are visited by tens of thousands of people every summer who are healthy and strong, and who do not actually require, so far as they are aware, the healing and restoring virtues of mineral waters; but who occasionally join the annual caravan of invalids in order to enjoy that elixir which is supposed to be contained in a change of atmosphere, water, and scene. That portion of the Golden State known as Southern California has become a favorite resort for pleasure-seekers, and to them and to the Southern Pacific Railroad it owes a large part of its wonderful increase in wealth and population during the last four years. The attractions for such visitors will increase with time, as the orchards of oranges, lemons, olives, figs, almonds, and dates, the vineyards and the gardens become more extensive, and as the additional railroads and other improve-



PACIFIC GROVE RETREAT (NEAR MONTEREY)—OPEN ALL THE YEAR ROUND.

ments stimulate business and provide still greater facilities for travel. In the cities of Los Angeles, San Diego, and Santa Barbara the traveler will now find hotels which have few if any equals in Southern Europe for the excellence of their management and the completeness of all their arrangements. Fevers and diseases of the malarial character carry off about one-half of mankind, and diseases of the respiratory organs one-fourth. From such diseases the towns of the Southern coast are remarkably free. The dryness of the atmosphere prevents any malarious disease, and is also a great relief to consumptives. A comparison of the meteorological tables shows that the coast from Santa Barbara to San Diego has a better climate for consumptives than the famous Riviera or Mediterranean coast near Nice, which is considered the best place in Europe for them. Nice is not so good as Southern California in the winter, and is much worse in summer. Notwithstanding its climatic inferiority, the coast of the Mediterranean from San Remo to Hyeres owes a large part of its wealth to the throng of wealthy invalids with their friends from Northern Europe. Southern California will be enriched in the same manner. In conclusion, permit us to again say to all who would better their condition — native and foreign-born — come to California — and come at once.



PARAISO HOT AND COLD SODA AND SULPHUR SPRINGS, MONTEREY COUNTY, CAL.

SOME NOTEWORTHY FACTS FOR INTENDING SETTLERS.

UNDER this heading we present a small miscellaneous array of unmistakable facts for intending settlers in a State which produces everything in the way of cereals, grasses, fruits and vegetables; where there are *no* blizzards, no snows in the valleys, no lightning, and where the climate is so uniformly good and the temperature so equable that a man may work comfortably in his shirt-sleeves nearly every day in the year and sleep sweetly under blankets every night from January to December. *This cannot be said of any other State or Territory in the United States, truthfully.*

WHAT FARMER HUNT WROTE HOME FROM PLACER COUNTY.

* * * There may be opportunities elsewhere, but none so golden as are presented here. Land that I paid $3 to the Central Pacific Railroad Co. for four years ago I could get $30 for now, unimproved. But I have fruits and grapes of many varieties, grain, grass, and a perfect home in a modest way. In reply to yours of the 8th I would say that there are yet hundreds of thousands of acres of superior valley lands to be obtained at reasonable prices; there are yet foot-hill farms, clothed in rich grasses and brilliant flowers, that invite the home-seeker to homestead them, and there are canyons and mountain belts, with brooks and waving trees, where pleasant homes may be made. There is plenty of land for all in this most beautiful climate ever known, and those who secure it now, will, before another decade, congratulate themselves more heartily than if they had found a mine of gold.

WILLIAM HUNT.

[Mr. Hunt's P. O. address is Auburn, Placer Co., Cal.]

INCOMPARABLE SACRAMENTO VALLEY.

* * * If a man's objective point is a place where he can grow oranges, lemons and grapes, and also all the temperate zone fruits in abundance and of the finest quality, the Sacramento Valley is the Mecca of his ambition. He might look around the world and not find a locality better adapted to his wants. He has a valley over one hundred and fifty long and forty to fifty miles wide set in a frame of foot-hills from five to fifteen miles deep, to select from. If he does not want the level valley, he has the foot-hills, where he may choose slopes to the

east, west, north and south. There is a variety of climate, to a degree found nowhere else—warm on the low levels, cool and cooler as you gain altitude on the hills. In some parts of the valley there are miles of oak-trees. As a rule, timber is plenty in the foot-hills, while on the mountain's side are endless forests of the grandest trees in America.

Of soil there is every quality; loam, gravelly, sandy, adobe and combinations of all. The red lands are thought much of for vines and fruit-trees. Among the foot-hills water is more easily obtained and more abundant than in many other sections of the State. Cultivation has followed the line of the Central Pacific Railroad for more than thirty miles up the hill and mountain, and everywhere the most remarkable products have rewarded the soil-tiller's efforts. In the foot-hills there is a warm belt from five to ten miles wide, stretching along the west base of the Sierra, where frost seldom or never comes. At Newcastle and below vegetation grows with a tropical luxuriance. Near Loomis', in the warm belt, grape cuttings planted in March of last year now have shoots six to seven feet long, on which are large bunches of grapes. An olive-tree, from a

TWINS.

THE TWO SEQUOIAS.

SUCKERS.

cutting put down last year, bloomed this Spring, and is now loaded with fruit. Peaches and apricots set out one year ago will this year yield a considerable crop. There is no doubt but that oranges, lemons and limes will do equally well in that locality. There has been no artificial irrigation, and none is required. This warm belt extends the full length of the valley.

The east side of Tehama County has a large area of foot-hill country well adapted to fruit-trees and vines. Cottonwood Creek, sixteen miles north of Red Bluff, will become a great fruit section in a few years. Along this creek there is a body of good land, five to seven miles wide by twenty miles long. Dry Creek and Clear Creek, both tributaries of the Sacramento River, in Shasta County, are grand places to look for excellent and the same time cheap, as to price, fruit and vine lands.

In the foot-hills of Sacramento Valley are several million acres of as good fruit and vine soil as ever lay out of doors, as yet uncultivated. The best part of what I intended to say is yet to come, which is, that much of this land—in fact the most of it—can be purchased at a very low price. The man who wants to raise oranges, apples, grapes, pears, etc., need not pay one hundred dollars an acre for wild, waterless land, while such a vast area of the Sacramento Valley and its foot-hills is a stranger to the plow and hoe.

J. M. Bassett

[Mr. Bassett has lived in California thirty years, and is a well-known writer of facts. His P. O. address is Oakland, Alameda Co., Cal.]

WHAT A WEST VIRGINIAN SAYS.

Los Angeles, Cal., *Nov. 16, 1883.*

But putting aside romance, in the sense of seeing and describing things from the standpoint of imagination rather than of reality, I may appropriately say that this is one of the most romantic regions that I have yet seen in my travels. This place is really situated in a peculiar and remarkable region. You will see by the maps that it is on the line of the 34th parallel, or about the line of central Mississippi, Alabama and Georgia. And yet the climate is not by any means the climate of that line in those States. It has all their winter warmth without the enervating heat of their summers. It has all their capacity to produce tropical and semi-tropical fruits, and yet it has, what they have not, an additional capacity to produce the fruits of more northern latitudes. It is not only the land of the orange, the lemon, the fig, the olive, the almond, the magnolia and the palm, but also of the apple, pear, peach, apricot, cherry, quince and plum. But, more than all the rest, it is the home of the vine in its greatest variety and luxuriance in the United States.

This is the 16th day of November, and yet the weather is as clear, bright and beautiful as on the 16th day of September in the Ohio Valley. In fact the

October and November weather that I have seen in California, and especially in this part of the State, resembles our best September weather. It is crispy and coolish in the mornings and evenings, and quite summerlike from 10 a. m. to 4 p. m. during the day. It differs from the Ohio Valley September weather, however, in the fact that these Fall nights bring no frost with them. It is its proximity to the ocean on one side and the mountains on the other that supplies the refreshing air by day and the low temperature of the nights, and yet wards off frost. And this is the reason why tender garden vegetation can be grown in the California valleys, and especially in this valley, the year round. The intermingling of sea and mountain air prevents precipitation of frost save occasionally in the winter in certain localities. In many localities there is no frost the year round.

AS SEEN BY ENGLISH EYES.

[We take the following from the London *Echo*, because it is a very beautiful tribute to California by an intelligent foreigner, and as tending to show how the Pacific Coast is attracting the attention of the Old World:]

Of all the Western States, with their rolling prairies, majestic rivers, and cloud-dividing hills, none can compete with California in the infinite variety of her natural beauties, the equable charms of her climate, or the surprising richness of her soil. Shut in by savage peaks between the Sierra Nevada and the Pacific; swept by the Kurosiwo, that vast ocean-stream upon which the seasons expend their cold and heat in vain, the fair lands of this remote territory swell into smiling uplands or sink into fertile valleys, down to which impetuous rivers rush and tumble through rocky canyons of unsurpassable grandeur. The Sacramento River is broad and deep where it meets the flow of the San Joaquin, and there is no turbulence in the twin current as it moves on with stately progress to join the ocean through the Golden Gate. But the Sacramento bursts out from the hill-side a full-grown stream, under the peaks of Shasta, fifteen thousand feet in air, and has many a wild struggle to free herself from the caresses of mountain spurs and fallen rocks before she reaches the lovely level of Elmira. And as for the San Joaquin, her watersheds are the glory of America. What valley can compare with Yosemite, the valley of the "large grizzly bear," where the melted snows of the Sierra leap over awful precipices, and unite their troubled waters three thousand feet below, to form the meandering stream of the tributary Merced? What waterfall is so lovely as Tueeulalah, leaping from the brink of the Hetch-Hetchy canyon, eighteen hundred feet from lip to base, shooting out at first intact and clean-cut, then, separating into watery rockets that imperceptibly change into a lace-like drapery of mist and spray, swaying to and fro a hundred feet across the face of the cliff? What groves can equal those of Calaveras or Mariposa, where gigantic trees tower upward three and four hundred feet, and roadways are carried under arches burned through the mammoth trunks? Yosemite and the Hetch-

Hetchy, and the groves of Calaveras, too, have taken their place among the supreme efforts of Nature, as matchless testimonies to the glory and magnificence of the patrimony of man.

Irresistibly attractive as this aspect of California is, there is another aspect in which it may be viewed, less picturesque perhaps, but more practical. Few portions of the globe present such an extraordinary combination of climatic circumstances favorable to the abode of man. A generation ago California was as unknown as the Sahara. In 1848 San Francisco consisted of a few rude shanties. To-day San Francisco is a city of three hundred and forty thousand inhabitants, increasing at the rate of thirty thousand every year; and north and south spread hundreds of square miles of cultivated lands, yellow in season with rich harvests "that form, as yet, only a handful in bulk to what the country is capable of producing." To Southern California, especially, does this glowing description apply. The undeveloped lands of the Southern Pacific Railway are waiting for the touch of the plow to break into heavy crops of wheat, or for timely grafts and fruit-seeds to relieve their richness in vineyards and orchards. Take, for instance, the county of Los Angeles, in which there are yet hundreds of allotments untenanted. There are districts here in which fields have been cropped in wheat each year for twenty-five years, and still return to their owners from twenty to thirty bushels to the acre. Alfalfa, a richer substitute for hay than red clover, is grown in irrigated districts, and yields from one and a half to two tons per acre five or six times a year, the cuttings being about six weeks apart from April to September. Alfalfa throws down a tap root some twenty feet into the soil, thus securing moisture and fertility from its lowest reaches. Even more remarkable is the grape production of Southern California. In grape-growing countries in Europe, even heavy manuring cannot secure more than three or four tons to the acre; but here the average yield from the same varieties is seven or eight tons per acre, and on some lands as high a figure as twenty tons per acre has been reached. The grape-growing qualities of the Californian soil and climate will undoubtedly make this the grape country of the future. The acreage under this cultivation is already 75,000, and it is increasing at the rate of 15,000 and 20,000 acres every year; but not fast enough to meet the demands of the wine and raisin industries that have sprung up in connection with it. Last year fifteen million gallons of wine were sent out of California, a huge manufacture; and, by way of keeping up the huge scale upon which everything in this favored country is done, two settlers near Los Angeles, a city so lovely that it is called the City of the Angels, have established the largest vineries in the world, with machinery capable of crushing three hundred and two hundred tons of grapes each day respectively. The raisin industry is in its infancy, but there is nothing to hinder Californian grape-growers supplying the whole United States demand of two million boxes per year. One acre will produce 240 boxes, the lowest value of which is £100. Considering that in 1881 only 110,000 boxes of Californian raisins were sent into the States, it is clear that this branch of industry is capable of immense development. The growth of oranges and lemons is also largely increasing. Oranges have been known to attain a circumference of 16½ inches, and their luscious flavor gives them a ready sale in all markets. Even the bees are busier here than elsewhere, producing about 5,000,000 pounds of honey in the bee farms every year.

RESULTS OF CAREFUL CULTIVATION.

Commenting on the sale of the famous O'Banion and Kent orchards of Santa Clara, the Sacramento *Bee* says: "The orchard was lately sold for $72,000. A year ago it was sold for $60,000, *and has since produced* about $50,000 worth of fruit. Seven years ago the land embraced in this orchard was bought by O'Banion and Kent for $4,500. The immense increase in the value of the place is due to nothing but the planting and careful cultivation of fruit-trees. The firm sold enough fruit from it to pay for the land and the cost of cultivation, and hence the $60,000 which they received for the property may be regarded as net profit. A twenty acre orange grove was lately sold at Riverside, San Bernardino County, for $22,000, the land costing the owner $400 (one-fourth cash) twelve years ago."

VIEWS OF A CHICAGO EDITOR.

[We present extracts from the pen of Mr. O. W. Nixon, the accomplished editor and leading proprietor of the Chicago *Inter-Ocean*, who visited Los Angeles during the month of February, 1884, and who has the following to say about the climate, resources, people and history of Southern California :]

Southern California has no winter, spring, and summer in the acceptation of the terms in the North and East. The lover of Dakota blizzards, will at first feel a little lost, but I confess that the dose I had enjoyed before leaving home makes me entirely reconciled to the sunshine and balmy air. It is estimated that fully 300 days of each year are sunshine. The lofty ranges of mountains shut off the fogs in great measure, as well as the cold winds which make the residents of San Francisco shiver about warm firesides. Snow never falls, and yet it has all seasons in plain view on "old Baldy" and other mountains. The rains which fall are between the months from October to April, and are regarded as the most delightful months of the year, as they are the growing months, and the whole land is covered with a luxuriant growth and the air perfumed with the odor of flowers. The lowest temperature of which there is any record at Los Angeles is 28 degrees above zero, but it freezes at 34 degrees. The average number of rainy days is forty-two. The average annual rainfall for the past five years has been eighteen inches. The heavy fogs at night-time enliven vegetation as much as a refreshing rain. Most of the planting is done during what is termed the rainy season. Wheat, barley and oats are sown from November to March, and harvested from May to June. About the close of the rainy season, corn, pumpkins and watermelons are planted, and each produces a fine crop. I can only judge of the corn by the size of the stalks. The pumpkins are huge in size, and I everywhere saw them used for feeding stock. Melons are of large size, from 50 to 100 pounds each in weight, and said to be fine in flavor. Tomatoes and plants of this kind grow right along producing fruit every month in the year--from the same vines for years. Strawberries are now ripe, and the gardeners tell me that a crop is easily raised continuously when the vines are properly irrigated.

* * * There is small danger of any one over-estimating the beauties or perfectness of the climate of Southern California. Long as is the ride to the cold Northwestern and Eastern States, I find multitudes of health-seekers down here from those sections, and I have not found one that is not enthusiastic. Some of them have purchased residences here for a winter home. Others who are ready to retire from active business are fitting up charming villas and preparing to spend their remaining years in this land of sunshine and perennial beauty.

* * * The bulk of the business men and solid people of the city and this portion of California, seem to be immigrants from the States of the East and West. You will seldom meet with more refined and cultivated people in any church or gathering than found here. They also retain more of the snap and life and spirit and energy which characterize these classes than when they emigrate to Florida and the States of the South. The price of labor here is high.

* * * I design writing as much as possible from practical knowledge of the people, resources of the country, and will defer to my next letter descriptions of the rural portions over which I have been driving. So far, I am free to say, it is the greenest spot of earth I have ever visited in the winter months, and its sunny skies and flower-scented atmosphere is the most invigorating I have ever breathed.

[Mr. Nixon's address is Chicago, Illinois.]

CALIFORNIA'S EXHIBIT AT THE WORLD'S FAIR IN NEW ORLEANS IN 1884–5.

[From the N. O. Times-Democrat.]

The California exhibit challenges the admiration of all visitors. There seems to be everything that can be produced in the world in the exhibit from the Golden State. Indeed, the California exhibit at the Government Building is a complete study in itself, and requires several days to examine it thoroughly. The Southern spectator cannot refrain from acknowledging that the products of the progressive State are all of an exaggerated type. Its gold mines are still the richest that have as yet been discovered on the planet. Its fruits are the largest and best flavored produced anywhere. Its peaches, pears and grapes, in particular, possess flavor that cannot be excelled, while the vines of Alameda, Napa, Sonoma, El Dorado, Sacramento, Santa Clara, and Los Angeles produce a wine that to-day, in the opinion of many, ranks equal to any made on the famous soil of Champagne, the classic banks of the Rhine, the sunny mountain slopes of Italy, or the fertile hillsides of Sicily.

The South boasts its extended regions where a favorable climate and surroundings produce grand forests of huge cypresses, whose giant branches are festooned with the funeral drapery of Southern moss; but our largest trees are mere dwarfs in comparison with huge California cedars which grace the Humboldt region and the valley of the Yosemite. In fact, everything, whether fruits, cereals, vegetables, trees or flowers, are of an exaggerated growth, while an examination of the flora of the State almost carries one back to the carboniferous period when the properties of the atmosphere were the most conducive to the production of the grand types of vegetation.

To the right of the commissioner's headquarters is situated the mineral display, under charge of Prof. Hanks, of the State Mineralogical Bureau. This, for variety and value of specimens, if not the largest is probably one of the most complete precious metal-bearing mineral exhibitions collected. Great care has been evinced in the selection made for the display; thus our Southern people who have heard so much of the vast mineral wealth of that sister State may, from an examination of this department, form a faint idea of its actual value.

[From the N. O. Picayune.]

"The land of gold,
In the days of old,
The days of Forty-nine,"

is the echo of an old song that will recall strange and thrilling memories to many an old Californian; but go now into the space devoted to California and its products in Government Building, and one will be astonished to see how little is there to remind a "forty-niner" that this is the California that was once the El Dorado of the New World, a veritable land of gold. To-day California is the land of golden grain, of vineyards, of orchards, of cattle upon a thousand hills and woolly flocks in every valley. Gold is still mined in the mountains, but it is from the fertile soil of farm and garden that the richest treasures are now being dug. In the northwest corner of Government and State Buildings is a space covering 21,000 square feet which is allotted to California. Over head hangs an enormous flag made of the feathery foliage of the pampas grass arranged in the stars and stripes of the national flag and portraying its proper colors. Beneath this ægis are displayed the vegetable riches of the State and the products of its people's industry. There are enormous pumpkins, gigantic vegetables of all sorts, and fruits that are monsters of their respective sorts, as to size. These products of a land of vegetable giants are grouped around a central figure which is nothing less than a section, eighteen feet in diameter, sawn from one of the Titanic trees of the far-famed Yosemite Valley. This is a most proper centerpiece for this display of vegetable giants, for this tree and its mighty kindred are the most majestic and colossal objects of the entire vegetable world. On all sides of the big tree are exhibits of wines; fruits, fresh, preserved in sugar, and other preparations, as well as dried—for the California raisin is a feature of the exhibit, and dried prunes is another. What with olives, honey, of which there are tons, the magnificent California wheat, wool and silk, could any one ask more of the wealth of the Golden State?

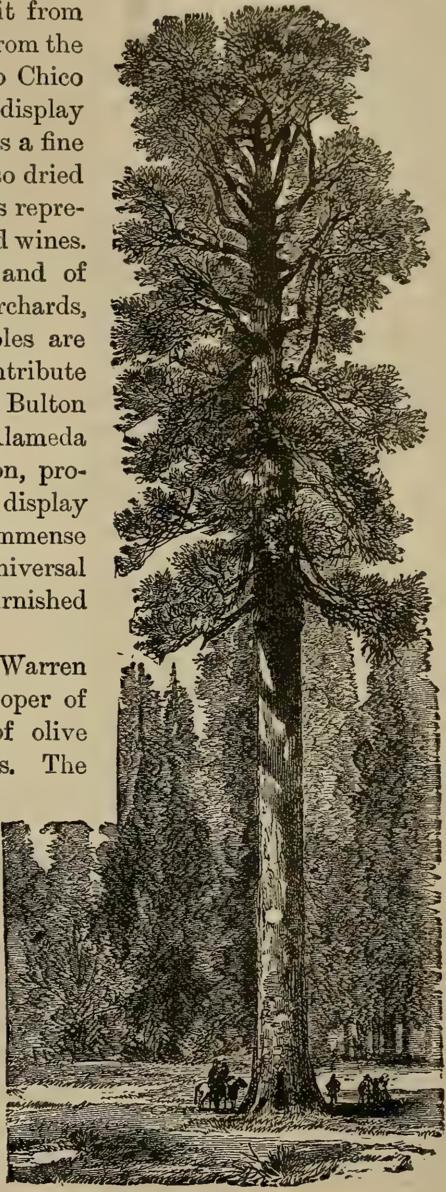
[From the New York Tribune.]

* * * Two hundred boxes of oranges have been given away at the California headquarters. The kindness and hospitality of the Californians here, together with the wonderful specimens they show in proof of their glowing descriptions, have gone far to create a California fruit fever among visitors to the Exposition, only less in intensity than the California gold fever which raged some years ago. In contemplating the mammoth bunches of grapes preserved in alcohol one recalls the Biblical legend of two Hebrew children and a fence rail being required to carry off one bunch of grapes from the land of Canaan. A Scotchman who has just bought a farm in Santa Barbara, and is now going across the seas for his family, says that country has the most divine climate imaginable for the whole twelve months of the year.

Though much has been written of the Horticultural Hall, it is impossible to conceive of its beauty from mere description. When lit up by scores of electric lights at night, it is a veritable fairyland within and blazes like a giant diamond when viewed from the surrounding grounds. It is here that California has gained her proudest triumphs. The display of fruit has been at all times far greater than at any previous Horticultural Exposition. The tables hold daily 20,000 plates of fruit. The continuation of the display has been perpetuated by cold storage. Visitors seem chiefly interested in the exhibit of semi-tropical fruits, particularly those of the citrus family. In this display, Florida was without a peer until California appeared from Riverside and from San Diego. The Bahia, or Washington naval oranges, from California, were a surprise to every one. Indeed, the horticultural exhibit has been a series of surprises. Kansas and Nebraska came down expecting to beat the world in apples, but, to every one's astonishment, were utterly eclipsed by California, which carried off the majority of the premiums. This California fruit exhibit, whether preserved or in its natural freshness on the tables of Horticultural Hall, is one of the greatest attractions of the Exposition. Also, in Horticultural Hall is a very fine display of Dehesia layer raisins, of Sultana seedless raisins and of dried figs. The figs look fresher and more appetizing than the imported article, while the raisins are the finest the writer has ever seen and are far superior to the Malaga.

The largest display of raisins, figs, prunes, dried, canned and preserved fruits, however, is in the Government Building, within the space occupied by California. Fred Forbush of Santa Barbara is always on hand in this department and kindly guides the curious visitor from one object of interest to another. It is amusing to listen to the remarks made by passing strangers who hail from all points of the compass. The burden of these comments is: "Well! If this is true, I will sell out and move to California." The art of preserving fruit in cans has perhaps reached its highest perfection there. Many very attractive specimens of this growing industry are shown in your State Department. A very pretty pyramid formed of canned fruits bears the trademark, "A. Lusk & Co., San Francisco." There are also fine exhibits of canned fruit from the Rancho Chico Canning Company and from the Petaluma Canning Company. The Rancho Chico Canning Company also makes a splendid display of dried fruits and nuts. Sacramento sends a fine exhibit of fruits preserved in alcohol, also dried fruits. Pomona Grange, Sonoma County, is represented by an exhibit of perserved fruits and wines. A superb collection of perserved fruits and of fruits in alcohol comes from the Olinda orchards, San José. Among these fruits the apples are especially noticeable. Olinda orchards contribute also dried fruits, prunes and figs. J. O. Bulton of Sebastopol and W. H. Jessup of Alameda County send dried fruits. Robert Barton, proprietor of Barton vineyard, makes a grand display of fruits in alcohol and of raisins. The immense bunches of grapes in alcohol attract universal admiration. The best Zante currants are furnished by Dr. W. W. Finch of Santa Barbara.

A fine display of olives is made by Warren C. Kimball of San Diego. Ellwood Cooper of San Diego makes a handsome exhibit of olive oil, also of almonds and English walnuts. The exhibits of olives, olive oil and of raisins attract more than ordinary attention, because these articles of commerce promise to be numbered among the greatest and most profitable industries of California. She seems destined to rival Italy in her production of olive oil, Spain in her raisins, and France, if we may credit the assertion of a leading New York merchant, in her manufacture of crystallized fruits. Bernard & Benedict of Los Angeles show a lovely assortment of crystallized fruits, together with preserves, jellies, marmalades, etc., all handsomely arranged in a glass case. Some New York dealers who have seen these fruits insist that they are far better than any they receive from Europe. A tier of shelves above one of the tables contains a beautiful collection of


MONARCH OF THE MOUNTAIN.

preserved fruits contributed by Mrs. George A. Cook of Lugonia, San Bernardino County. There are one hundred varieties of these preserves, among them several varieties of figs and of cherries. The orange cling peaches are especially fine. In the larger exhibit made under the auspices of the Southern Pacific Railroad Company, which of course contains contributions from all over the State, there are magnificent fruits in preserves, in alcohol, dried, and in the form of raisins, figs, currants and prunes. Among these fruits some dried raspberries seemed, to unaccustomed eyes, both curious and novel, as did also a preserve of double fruit plums. In this collection numerous jars of preserved fruit bear the label, "Boss Brand," and were sent by Dr. W. H. Austin of Yolo County. Some very large quinces were sent by W. K. Strong of Sacramento County. Dried apricots and English walnuts come from Santa Barbara, and were sent by E. J. Knapp. There are also dried fruits from A. C. Penniman, raisins from Miss. M. F. Austin, fruits in spirit prepared by D. C. Feely, apricots sent by S. R. Chandler of Yuba City, Sutter County, and plums and figs from S. P. Chapin of Sacramento County. The prunes were sent by D. Gage of Elk Grove and H. H. Scott of Solano County; also, Hungarian and other prunes were sent by J. M. Bassford of Solano County. A pretty display of dried fruits is made by Joseph Sexton of Santa Barbara. Some handsome dried fruits, also nuts, including some beautiful chestnuts, are from W. W. Hollister of Santa Barbara, and fine English walnuts were sent by Russell Heath, also of Santa Barbara. Near these are some raisins from Riverside, packed by J. E. Cutter. Beautiful displays of dried fruits are made by J. C. Weeks of San Gabriel, Los Angeles County, and by J. Harbert, also of Los Angeles. The exhibit of preserved fruits made by the San José Fruit Packing Company is worthy of special mention for its high quality and artistic arrangement.

Only the fruit exhibit can be touched upon in this letter. The exhibit of native California wines is so fine and large that it has overflowed from the space allotted to its State in the Government Building and has made more than one large display in the main building. A description of the wine exhibits will be given in another letter; also of the honey, grain and mineral exhibits.

THE TELLING TRIUMPH.—CALIFORNIA WINS AGAINST THE WORLD.

Exposition Grounds, New Orleans, La., *April 4, 1885.*

To-day California has been awarded the sweepstake gold medal against the world for the best varieties of citrus fruits. Also two gold medals, eleven silver medals and thirty premiums.

New Orleans, *April 7, 1885.*

The awards of the judges in the Department of Horticulture have just been announced and reveal the fact that in oranges and lemons California has carried off the palm, by securing the sweeptakes prizes over all competitors, three gold and eleven silver medals, as against two gold and ten silver medals obtained by Florida. The judges were H. E. Van Deman of Geneva, Kan., G. B. Brackett of Iowa, S. M. Wiggins of New Orleans, and T. T. Lyon of Michigan. They consider that the exhibitors have done credit to the various countries and States represented. The principal exhibits, especially of oranges, were from Florida, California, Mississippi and Louisiana, while British Honduras and the State of Sonora, Mexico, were also represented. In their report the judges state that among the important points noticed by them in the course of the examinations are the following: The extreme sweetness, delicate flavor and thinness of skin of the varieties of oranges from Florida; and the fine appearance, absence of seeds, freedom from the effects of scale or other insects, and sprightly sub-acid flavor of those from California. They further state that there is a decided advance in the production of lemons of a high market value in the last-mentioned States, and some of the best are active seedlings of recent origin. In regard to nomenclature, some confusion was found, but more accuracy than might have been expected in a class of fruits which has but recently received the attention of experienced cultivators. Among the most successful California exhibitors are: The Riverside Fruit Company, James Bettner of Riverside, and Kimball Brothers of National City, as will be seen from the following list of medals and premiums awarded:

ORANGES.

From the United States or any Foreign Country.

Best collection, not less than twenty varieties from any State or any foreign country, gold medal, $100; awarded to Riverside Fruit Company.

Best collection, not less than ten varieties from any State or any foreign country, silver medal, $50; awarded to Kimball Brothers, National City, Cal.

Best plate of any variety from any state or any foreign country, silver medal, $10; awarded to Kimball Brothers.

From the United States.

Best collection, not less than twenty varieties, gold medal, $100; awarded to Riverside Fruit Company.

Best collection, five varieties, silver medal, $25; awarded to James Bettner of Riverside, Cal.

From California.

Best collection, not less than twenty varieties, gold medal, $100; awarded to Riverside Fruit Company.

Best collection, not less than fifteen varieties, silver medal, $75; awarded to Kimball Brothers.

Best collection, not less than ten varieties, silver medal, $50; awarded to Kimball Brothers.

Best collection, not less than five varieties, silver medal, $25; awarded to Kimball Brothers.

Best plate of any variety, silver medal, $10; awarded to James Bettner.

LEMONS.

Best collection, not less than five varieties from any State or country, silver medal, $25; awarded to Riverside Fruit Company.

Best collection, not less than five varieties from the United States, silver medal, $25; awarded to W. M. Mann of Riverside, Cal.

Best plate, any variety, from the United States, silver medal, $10; awarded to R. D. Coney of Riverside, Cal.

OTHER CITRUS FRUITS.

Best general exhibit of citrus fruits, other than oranges, from the State of California, silver medal, $50; awarded to Kimball Brothers.

In addition to the foregoing awards, premiums were received by G. W. Gracelon, W. E. Keith, H. J. Rudessell, Pearley & Pattee, and W. B. Russell of Riverside. California is indeed to be congratulated upon her triumph, considering that orange growing is a comparatively new industry with her.

THE AWARDS FOR WINES AND BRANDIES.

New Orleans, *June 4, 1885.*

The announcement of the awards on wines and spirits has been made, and California, in this important industry, is again far ahead of all her sister States, and has taken the first prize in every instance. The principal California exhibitors were G. M. Jarvis of San José, and E. J. Baldwin of San Francisco.

The following is a full list of the awards for wines and spirits: First-class medal for white-wines, E. J. Baldwin, Santa Anita vineyard, San Gabriel Valley; first-class medal for port-wine, E. J. Baldwin; first-class medal for sherry, E. J. Baldwin; first-class medal for angelica, E. J. Baldwin; first-class medal for claret, A. Haraszthy, San Francisco; second-class medal for port, G. M. Jarvis, San José; second-class medal for claret, E. J. Baldwin; second-class medal for Eclipse brand of Champagne, A. Haraszthy; first-class medal for best sample of Zinfandel claret, E. J. Baldwin; first-class medal for best sample of grape brandy, E. J. Baldwin & Co., Los Angeles; first-class medal for best sample of peach brandy, G. M. Jarvis & Co., San José; first-class medal for best sample of blackberry brandy, G. M. Jarvis & Co., San José; for best collective display of domestic wines and brandies, first-class medal, E. J. Baldwin; second-class medal, G. M. Jarvis, San José.

WHAT A CALIFORNIA WIDOW HAS DONE.

[From the New Orleans Picayune.]

Mrs. E. A. Hill of Comanche, Cal., has been awarded at the New Orleans World's Fair, the first premium for her Insect Powder, called Insecticide, and which is simply the powdered flowers of the pyrethrum, which plant she cultivates largely on her California ranch. Mrs. Hill is one of the most remarkable women in the Golden State, being now a wealthy farmer. She owns four hundred acres of land and has one hundred acres set out in pyrethrum, which plant is in full bloom in May. She has just built a new water-mill for grinding the flowers. Last year she manufactured ten tons ready for market and it was a poor year. The coming year Mrs. Hill will plant two hundred acres, with an immensely increased crop. She began this novel industry in 1877 under great difficulties—her husband had died in 1861, leaving her with three little children, a debt of $1,400, her little ranch mortgaged and no means of support except the fortuitous work of a pair of strong hands and a courageous heart. Within five years she had lifted the debt by washing, raising chickens, taking boarders and turning her hands to everything that was possible, early and late. To-day her property and industry is worth half a million dollars. She employs from fifty to eighty men, women and children on her ranch. Besides the pyrethrum, Mrs. Hill has two acres in apple trees, from which she clears yearly about $500, with eighteen acres in apricots, walnuts, pears and small fruits.

[Mrs. Hill's address is Comanche, Calaveras County, Cal.]

WHAT INDUSTRY AND PERSEVERANCE ACCOMPLISHED IN NORTHERN CALIFORNIA.

Ten miles north of the City of Red Bluff there is a place known as the Summit Ranch, on the Cottonwood road, owned by G. W. Coffer and son, who went there one and a half years ago and found the forest untamed, with a dense undergrowth of chaparral, chemisel and manzanita, and, after paying the freight on a wagon they had shipped to Red Bluff, had only fifty cents left; after buying a can of axle grease for forty cents they had ten cents left, all the money they had to commence to make a home out of the forest. They now have three hundred and twenty acres of land, a good barn, a comfortable house; there are ten acres under good board fence, well cleared, and in a most perfect state of cultivation, set out in fruit trees and grapevines, all in the most healthy condition. The ground, though situated on the summit of the divide, is mellow and moist. Mr. Coffer informed the writer that they had done all the work with their own hands and were out of debt. Mrs. Coffer showed an old fashioned loom, which the family had brought with them from the East, and upon which Mrs. C. had woven over five hundred yards of carpet since last October (nine months), getting for it thirty-five and forty cents per yard, and in the meantime doing all her housework. Thus, by rigid economy and honest industry, this industrious family have cleared out of a dense thicket a beautiful home, commanding a perfect view of Mount Shasta, whose head is covered with eternal frost, and from whose base the beautiful Sacramento gets its first invoice of limpid, crystal waters. Its banks are studded with live oak, clothed with a vesture of never-fading foliage.

[Mr. Coffer's address is Red Bluff, Tehama County, Cal.]

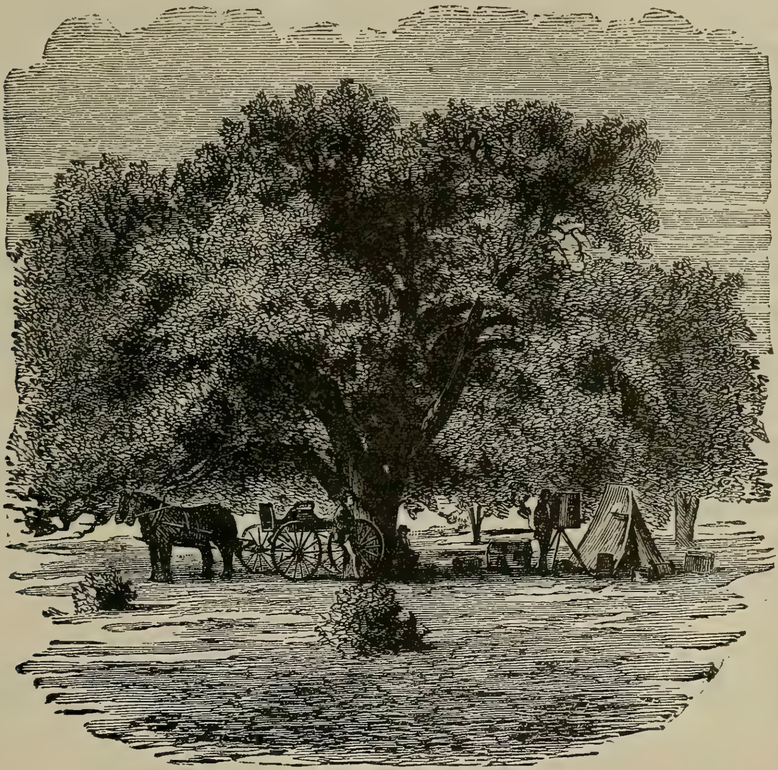
WHAT WE SAW IN TULARE COUNTY.

Not long since the writer spent a few days in Tulare County, and rambled among the foot-hills and over the farms in what is called the artesian district. Tulare County is a section of the great San Joaquin Valley, and is quite well watered in many places by other than the wells which spurt up in a hundred cataracts. Some of these wells are larger than others, but all have about the same flow, the difference being only in the size of the pipe, and any one well throws out a sufficient quantity of water to irrigate one hundred and sixty acres of land. The great artesian belt, about which so much has been said and written, is almost entirely within Tulare County. A line drawn from about midway of the northern end of Tulare Lake, north about six miles, and then circling to Tulare City on the Southern Pacific Railroad, crossing the road and bearing two or three miles east of the track until the southern boundary of the county is reached, will inclose between the line and the lake the section in which a flowing well is certain to reward the man who seeks for it. The area is from twelve to fifteen miles wide by from thirty to thirty-five in length. The depth of these artesian wells range from three hundred and fifty to five hundred feet. The cost of sinking a well, including pipe and everything, runs from $450 to $700. It is estimated that a seven-inch well, which is the standard size, with a three and one-half inch flow, which is about the average, will discharge about one cubic foot of water per second, or 82,400 cubic feet every twenty-four hours. The water from these wells is clear as crystal, and generally pure, though in some localities it is slightly impregnated with sulphur.

The following named wells were visited lately by the writer, and are all in the belt heretofore described. Other wells and farms are being developed in other parts of Tulare County:—

NAMES.	Size Inch.	Depth, Feet.	Flow, Inch.	Sec.	T. south, R. east, Mt. D.		NAMES.	Size, Inch.	Depth, Feet.	Flow, Inch.	Sec.	T. south, R. east, Mt. D.	
J. H. Castle.	7	521	2½	28	20	23	John Zalud	7	348	2½	19	20	24
J. H. Castle.	7	450	3	28	20	23	Wm. Stewart	7	340	1½	24	20	24
S. P. R. R.	5	...	½	7	22	25	Geo. Castle	7	428	3¼	22	20	23
Geo. Crossman.	8	550	3	27	20	23	Geo. Castle	7	436	4	22	20	23
James Purcell	7	450	1¼	3	21	23	J. R. Hitchcock.	7	360	3	35	20	23
Solomon Ephraim	7	330	1¼	32	20	24	Henry Perkins	8	580	1½	2	21	24
Solomon Ephraim	7	324	4	32	20	24	Henry Perkins	7	690	2	2	21	24
J. Burnett	7	400	3½	9	21	24	Wm. Stewart, Jr.	7	400	1¾	24	20	24
J. Burnett	7	355	1¼	7	21	25	T. Baccigalupi.	5½	340	½	18	21	25
Frank Churchill	7	493	2	34	20	24	Jeff. Jaynes.	8	382	¾	24	21	24
H. J. Beckwith	7	410	2½	4	22	24	Wm. Blankenship.	7	385	½	16	21	25
— Maturin.	7	305	1	27	20	24	Uhlhorn & Maples.	7	448	2¼	1	20	23
J. C. Smith	8	550	5¼	2	23	24	Uhlhorn & Maples.	7	389	2	1	20	23
Chism & Watrous	7	500	5	30	20	24	Uhlhorn & Maples.	7	485	1½	1	20	23
Mrs. Studebacker	8	370	4	24	23	24	John Creighton	7	306	2½	6	21	24
E. W. S. Woods	7	472	2	32	20	23	John Creighton	7	326	2	5	21	24
John Allen	7	352	3	26	20	23	John Creighton	10	316	2	5	21	24
Lee Weaver	7	340	2	6	20	24	Chas Knupp	7	372	2½	1	21	23
A. P. Cromley	7	320	1½	18	20	24	B. F. Smith	7	340	2	4	21	24
M. Premo	7	460	1½	18	20	23	Geo. Castle	7	418	2½	22	20	23
Geo. Bertch	7	480	2½	7	20	23	Geo. Castle	7	422	3	22	20	23
J. Merritt	7	495	4	11	20	23	T. J. Mitchell	7	386	4½	7	21	24
J. A. Carey	8	438	3½	22	22	24	T. J. Mitchell	7	355	3	3	22	24
Wheeler Bros	7	450	3	22	22	24	E. M. Dewey	7	308	3	8	21	24
Wm Swall	8	395	3	28	21	24	Geo. Mead	7	344	3	22	21	24
H G Rogers	8	276	2½	33	21	24	D. O. Harolson	7	390	3	14	20	23
C. F Bryan	7	592	1½	12	22	24	M. M. Burnett.	7	336	1	7	21	25
T Baccigalupi	7	420	2	9	22	24	D. Evans	7	370	2½	29	21	24
Jas Herndon.	8	404	2½	2	22	24	R. T. Priest	7	398	1	3	23	25
Wm Wilson	7	454	3	10	22	24	R. T. Priest	7	460	2	3	23	25
H J Hawkins	7	470	2½	2	22	24	L. Pierce	7	300	4	28	21	24
Wm. Hill	7	387	2½	34	21	24	Paige & Morton	7	330	2	13	20	23
D. K. Berry	8	490	2½	30	20	24	Paige & Morton	7	320	1½	8	20	24
L. L. Creach	7	584	1¾	26	21	24	Paige & Morton	7	390	1½	7	20	24

The climate is semi-tropical. Almost anything that grows in Los Angeles County will grow in Tulare County. Large yields of almost all kinds of fruits reward those who have gone into that kind of business. Grapes are a never failing crop, and the Tulare apricots and peaches are of a large size and unusually rich in flavor. All the cereals, of course, and all vegetables are cultivated with little labor. The home-seeker who wants to farm, garden or grow fruit cannot find a better locality than Tulare County. We were simply wonder-struck to see so many farmers who had possessed themselves of lands in the foot-hills at two dollars or less an acre raising oranges and lemons, as well as all the other fruits.



PRIDE OF THE VALLEY.

Indeed, we had scarcely reached Porterville, when Mr. Luther Anderson invited us to go with him and pick some oranges, we accepted his invitation, repaired to his house and with our own hand picked several large Naval and Mediterranean sweet oranges from his trees, and furthermore we sampled them and found them delicious. Mr. Anderson has thirteen trees in the garden surrounding his house, from which he plucked a large amount of fruit during the past season. Some of his trees are now nine years old, but most of them are younger, and a few of them are budded but most of them are seedlings. All of his trees were hanging full of new fruit.

A short distance from Mr. Anderson's place we found a number of fine orange and lemon trees in the yard of F. P. Chapman. We measured a nine year old lemon tree that was twenty-three and a half inches in girth, a few inches above ground, which was fully twenty feet high and full of young fruit. Here we also found a number of orange trees that bore abundantly last season and all full of young fruit. There are many more orange and lemon trees in the town of Porterville, and they have but one story to tell, and that is that citrus fruits find a congenial home there. To be sure, the owners of these trees are not making the growing of citrus fruits much of a business yet, as they are generally grown for ornamental purposes and for home use, but if thirteen trees will grow upon a small plot of ground, 13,000 or any other number of trees, will grow and bear fruit upon a correspondingly increased area.

But Porterville has one citrus fruit grower who is making something of a business of it. This man is Mr. Albert Henry, who lives and thrives in a little sheltered cove a mile or so northeast of town. Besides something like twenty-two acres of deciduous fruit trees and raisin grapes, Mr. Henry has about one hundred handsome and thrifty orange and lemon trees. They are too young yet to bear much, being only in their sixth year, but they are budded fruit and have made a start at bearing this year. No trees could look more thrifty or promise more for the future than those in this little orchard.

At Plano we found a fine young orange orchard at the old homestead of the late M. D. Gibbons, the pioneer citrus fruit grower of Tulare County. It was the fruit from this place that took the first premium at the citrus fair at Los Angeles a few years ago, and we believe it could do it again most any time. A fine young orchard is just coming into bearing at this place and will roll up a good financial return next winter. We saw many other orange trees in the vicinity of Porterville and Plano which we should be glad to mention, had we space to do so, besides a number of orchards we did not visit at all.

TWO LETTERS FROM ANTELOPE VALLEY, (LOS ANGELES COUNTY.)

LANCASTER, LOS ANGELES CO., CALIFORNIA, *July 18, 1884.*

W. G. KINGSBURY, ESQ., 41 Finsbury Pavement, London,

Dear Sir: Replying to your request to give our opinion of this section of California, beg to say that so far as our experience extends, we consider it the very perfection of climates. We got here too late to plant a crop for this year, but our neighbors have fine crops, and we are confident the land is very rich, and that anything fairly planted will grow well. We got our land—160 acres each—under the Homestead Law, with no expense except the surveyor's fee, £4 8s. Besides this we have each 160 acres under the Timber Culture Act, for which we pay £2 16s., and are obliged to plant ten acres in trees in four years, but the trees so planted will be ours. Our land is all level, and every acre good. We get good well water in 17 feet, and are only six miles from the railway station, with a good level road. There is 200,000 acres more of the same kind in this great Antelope Valley, and we wish thousands of our Scotch friends would come and share it with us. We are now the proprietors of our own estates, and a goodly number of acres—a circumstance that never could have come to us had we remained in the old country. We are sixteen souls all told, and not a day's sickness among us, and we hear of no sickness among our neighbors. Thanking you for calling at our house we are,

Very respectfully yours,
(Signed) ANDREW YOUNG, WILLIAM JEFFERY, THOMAS WINTER.
Late of Edinburgh, Scotland.

ANTELOPE VALLEY, LANCASTER, CALIFORNIA, *15th December, 1884.*

E. J. COUCH, ESQ., London, (since gone to Antelope Valley),

Dear Sir: In answer to your letter I received on the 13th inst., I certainly feel it my duty to answer the same. You want to know as to the valley of Lancaster. I am proud to inform you we are going to have a real success in this valley. It is a large valley; the length of it is 75 miles, the breadth of it is 36 miles. The soil is of a rich sand and loam, there being no stones in the valley. Now there is no doubt we have raised splendid crops of wheat—one of the finest samples of wheat that was shown in the State of California. Second, this is one of the finest climates for wine growing, there being no fog to mildew the grapes; also for fruit trees, such as peaches, apples, pears, olives, prunes, walnuts, and a great many other marketable fruits. There is no doubt we have a long summer and dry weather, but the land here holds the moisture better than other places where they have regular rains. But there is one thing we can depend on, the rain comes on in December and we get less or more up to May, so that is good for small grain. We are very busy just now getting in our crops, and we have every prospect of a good season, so I say that this valley is good for any kind of crops. You wanted to know about its population; I really could not say as they are coming in almost daily. I would say with freedom 300 farmers have houses besides those that have railroad sections of land, and I must say land is being taken fast in this valley; still there is plenty yet, and good land. There is a little frost here, but it does no ill—it never keeps us from ploughing and working on the land. The only snow we have had was one inch deep, and as soon as the sun rose it melted away; there being no winter here to think anything of. Reptiles—there are a few snakes, I have killed six rattlesnakes since I came here in April, so there is nothing to fear in that line. Market—there is plenty sale for all market goods. Wheat sold very high here; barley the same. Potatoes, etc., have all got a ready market. Climate is delightful, in fact no one has any idea unless they were here. You may know, a great many people in poor health are sent here to gain strength, and I am proud to say a great many have got good health again. Water—we have plenty here. I have plenty, 13 feet deep in my well, and plenty of artesian water for irrigation. We are going to raise a club to get artesian wells in the valley—there being a good many English and Scotch in here—so we have all good faith in the valley. Here I may let you know I have six in family beside my wife and myself, and doing well; so I have no doubt if you come here you could get on very well; you could get a good homestead of 160 acres for $22, which would be plenty to start till you saw about yourself; besides a good tradesman goes high in these parts. Sport for the gun—there is plenty of Antelope and Deer—and plenty of Bears in the Mountains—plenty of Rabbits also. We expect a school at once (the petition being sent on to State), and church too, so if you think of coming send me a letter, as I have been the means of getting a good many people into homesteads, and I will put you in a good one. It costs you nothing—we do it for our own countrymen only to get as near each other as possible.

ANDREW YOUNG.

OFFICIAL REPORTS OF THE COMMISSIONER OF AGRICULTURE.

The following extracts are taken from the annual reports of the Agricultural Department at Washington (United States) for the last three years (averaged), and will be found of interest as showing the intrinsic value of California land compared with that of all the other States and Territories in general, and some of the leading agricultural and immigrational States in particular:

BARLEY.

	BUSHELS.
Entire production of the United States and Territories, including California	42,564,692
California	14,723,915

HAY.

Average value per acre, United States	$12 34
California	21 65

OATS.

Average value per acre, United States	$ 8 84
California	20 55

POTATO CROP.

Average value	per acre,	United States and Territories	$42 74
“	“	California	97 29
“	“	Oregon	62 57
“	“	Kansas	51 99
“	“	Michigan	45 42
“	“	Minnesota	36 54
“	“	Nebraska	33 33
“	“	Illinois	36 18
“	“	Iowa	29 56
“	“	Wisconsin	32 74

AVERAGE CASH VALUE PER ACRE OF CHIEF AGRICULTURAL PRODUCTS.

United States and Territories, including California	$12 68
California	18 36
Texas	15 68
Wisconsin	12 34

Illinois	$10 59
Minnesota	9 86
Iowa	8 91
Florida	8 64
Kansas	8 22
Nebraska	7 34

CORN CROP.

	VALUE PER ACRE.	YIELD PER ACRE.
United States and Territories, including California	$10 13	27.9 bushels.
California	22 38	31.5 “
Colorado	19 75	26.2 “
Iowa	8 33	37.8 “
Illinois	8 80	29.8 “
Kansas	7 95	32.1 “
Florida	7 15	8.09 “
Nebraska	7 60	38.0 “
Georgia	6 52	9.8 “

WHEAT CROP.

	VALUE PER ACRE.	YIELD PER ACRE.
Entire United States and Territories, including California	$12 64	13.3 bushels.
California	16 58	16.0 “
Minnesota	9 72	12.5 “
Virginia	9 35	8.6 “
Wisconsin	10 30	11.5 “
Iowa	7 54	10.0 “
Texas	10 30	10.5 “
Kansas	8 86	12.4 “
Nebraska	7 37	10.9 “

CAPITAL NECESSARY—PRICES OF ARTICLES OF FARM AND HOUSEHOLD USE—WAGES, ETC.

The question arises as regards the smallest sum considered necessary for a new comer to start with. An industrious man may come here almost without a dollar, hire out for some years, and work his way up by strict economy. But those who come here to make homes for themselves should have $500 to $1000 to start with on even the cheapest foothill lands. There will be some years of close effort. Poultry must be kept, vegetables raised, odd jobs of work done for the neighbors. But thus, on even this small capital, a valuable property can be developed in the course of eight or ten years. A small piece of good land is better than a large piece of poor land. It is best to purchase only as much land as can certainly be paid for. Develop this thoroughly, and make it profitable, and more land can be had at some future time. Many failures have arisen from attempting too much. The new settler who deserves success begins at bedrock, keeps out of debt, buys as little as he can, wears his old clothes, works early and late, plants trees and vines for the future, leaves whisky alone, and has a definite aim and plan in life. Such a man can come to California with a small capital, and find it a “good State for the poor man.” Those who are content to work and be patient here will find the reward sure and ample. Is it not worth while to have a home in a land where there are no violent extremes of heat and cold and where the farmer can work in comfort every month in the year ?

The following is a list of prices of some of the most important articles of immediate use to immigrants:

HOUSEHOLD GOODS.

Cooking stoves, furniture complete	$15 00 and upwards
Tinware	about the same as Eastern prices
Queensware	same as Eastern prices
Tables	$2 00 and upwards
Chairs	60 cents and upwards
Bedsteads	$3 00 and upwards
Common carpet, two-ply	75 cents to $1 25
Common carpet, three-ply	$1 25 to $1 50

FARMING APPLIANCES.

Wagons	$100 00 to	$175 00
Harness	10 00 to	40 00
Plows	7 50 to	22 00
Mowers	100 00 to	250 00

STOCK.

American farm horses	$75 00 to	$150 00
Half-breed and Mexican horses	25 00 to	75 00
Milch cows	25 00 to	75 00
Hogs	5 00 to	9 00
Sheep—Ewes	1 50 to	5 00
" Rams	10 00 to	50 00

FRUIT TREES AND PLANTS.

Apples—1 and 2 years old, per 100	$15 50 to	$20 00
Pears—1 and 2 years old, per 100	25 00 to	35 00
Cherries—1 and 2 years old, per 100	25 00 to	35 00
Peach—1 year old, per 100		20 00
Plum and Prune—1 and 2 years old, per 100	20 00 to	35 00
Apricots—1 and 2 years old, per 100	25 00 to	35 00
Nectarines—1 and 2 years old, per 100	25 00 to	30 00
Quinces—1 and 2 years old, per 100	20 00 to	35 00
Figs—1 and 2 years old, per 100		20 00
Oranges and Lemons—1 and 2 years, from graft, each	75 to	1 50
Persimmon—1 and 2 years, from graft, each	75 to	1 50
Olives—each	50 to	75
Pecan—each		50
Almond—per 100	20 00 to	25 00
Filberts—each		50
Chestnuts—each	50 to	75
English Walnut—each	25 to	50
Grapes—Foreign, per 100		6 00
Grapes—Raisin, per 100		10 00
Currants—per 100		6 00
Gooseberries—per 100	5 00 to	6 00
Blackberries—per 100		3 00
Raspberries—per 100		3 00
Strawberries—per 100 (and special rates for greater number)		2 00

OTHER TREES.

Blue Gum—per 100	$2 00 to	$5 00
Mulberry—each		75

FRUIT TREE STOCKS.

Pear—grafting size, per 1,000	$10 00 to	$12 00
Apple—grafting size, per 1,000		12 00
Cherry—grafting size, per 1,000		12 00
Plum—grafting size, per 1,000		30 00
Scions—Pear, Apple, Plum and Cherry, per 1,000		5 00

WAGES.

Wages for ordinary day laborers range from $1.50 to $2.00 per day; good labor, requiring familiarity with the work in hand, brings $2.50; and skilled workmen, such as machinists, jewelers, etc., receive $3.00 and $4.00 and even more, per day. Masons, carpenters, stonecutters, etc., $3.50 to $4.00 per day. Harvest hands (with board) $2.00 and upwards. Regular farm hands (with board) per month $20 to $30. Wearing apparel is about as cheap as in the Atlantic States.

CALIFORNIA FRUITS AND HORSES IN THE EAST.

The following associated press despatches speak for themselves, and are presented without comment:

"New York, July 9th.—'There is no longer any doubt but California fruits are running home fruits very hard,' said R. N. Doe this morning. Doe is a member of the firm of Dudley, Clapp & Doe, the largest dealers in California green fruits in New York. 'We have received twice the quantity of green fruits from the Pacific Coast this year that we did last, and there is a constant, growing demand from hotels and wealthy people. The quality of the fruit, also, is far better this year. It is arriving, in the main, in excellent shape. You see we catch the market here just in the right time to unload. It is too early for home fruit, and California fills up the vacancy. Apricots and nectarines take the place of peaches and pears, finding a ready market. We disposed of a large quantity of California fruit during the first six weeks. Our plan is to ship by passenger train to Chicago, and there divide up, sending consignments to Baltimore, Philadelphia, Washington, and differents points in Canada, while the rest comes direct to New York. The railroads know we have got to have this fruit at a certain time, so they make their own terms, though I must say the freight charges are more reasonable this year than last. They have not canned as much fruit in California this season as formerly, which accounts for the quantity of green fruit we are getting. Yesterday we received our first consignment of grapes. They are of the Sweetwater variety, and arrived in fair condition. They sell from $2 to $4 for twenty-pound cases. Early Crawford peaches are finding quick sales at $2 to $4 per case. Nectarines bring the same price. Plums sell from $1.50 to $3 a case. Bartlett pears have the market all to themselves, being the only ones here. Their size, quality, and condition are all that could be desired, and from $3 to $5 per case is easily obtained. Apricots are coming to the front with fair prospects of running the North Carolina fruit entirely out. This is chiefly on account of its fine appearance, although, like other California fruits, it loses much of its fine flavor on the long journey. It has cost us as high as $1,200 for a carload of fruit shipped by passenger train to Chicago. We look for a larger business than ever next season, though, and an increase every year."

"New York, July 13th.—A Louisville (Ky.) special says: Local 'plungers,' who have staked their money on Kentucky thoroughbreds against California cracks during the racing season, complain bitterly of their hard luck. So frequently have events been captured by California stables, that believers in Kentucky's superiority are beginning to have doubts. It would prove a distressing blow to the pride of Kentuckians should the fast record of their horses be lowered by the swifter strides of other cracks. The *World* says: The success of the California stables is the most prominent feature of the several meetings, and as that success has been amply sustained here in the East by the running of Haggin's horses, due credit must be given to the magnificent climate and the superiority of the Pacific Coast during the winter months for the building up and development of horses for racing purposes, in which respect many who are interested have expressed the wish that Pierre Lorillard would select a yearling colt and filly by Mortimer and send them to California, to remain there until the spring that they are three years old, and then bring them East and try them with a colt and filly that had remained the same time at Rancocas. The experiment would be an interesting one both for the owners and the general public."

THE BEAUTIFUL CLIMATE OF CALIFORNIA, THE MAIN THING WITH MANY.

We present a few of the thousands of letters being constantly received from intending settlers from all sections (elsewhere than California), by officers and agents of California Land Offices, and other real estate bureaus, which show, as a general thing, that the equable temperature and healthfulness of climate of California is the most powerful magnet of the many otherwise irresistible elements of attractiveness, which, grouped together, present a picture of a land not only flowing with milk and honey, but where a man may sit under his own vine and fig-tree, in his shirt-sleeves, three hundred and forty-five out of the three hundred and sixty-five days of the year:

Larchwood, Lyon Co., Iowa.

Jerome Madden, Esq.,

Dear Sir: It is with great interest that myself and some of my friends have been reading a small book called "Homes and Happiness in the Golden State of California," and I now write to ask you to please furnish me with any other information concerning California, and the sale of your lands, that you can give.

In writing I may mention that I am representing two or three English families here, who are contemplating seeking a fresh country to settle down in, *where the climate is not so severe,* and where there are other good inducements to encourage them to locate.

Hoping to hear from you soon, believe me

Yours faithfully,

J. B. Procter.

Cornish Flat, Sullivan Co., N. H., *February 16, 1885.*

Jerome Madden, Esq.,

Dear Sir: Have received from many sources some meagre, yet flattering accounts of lands and homes in California. We wish to learn more, and all we can about the matter, and there is considerable interest here in the matter.

We would like circulars and pamphlets that will inform us as we desire. Would like duplicates for distribution.

Our people are looking about for homes somewhere *out of this cold region.*

Respectfully, etc.

W. H. Child.

Seattle, Washington Territory, *June 11, 1885.*

Jerome Madden, Land Agent, S. P. R. R. Co.

Dear Sir: Will you please favor me with some information regarding prices and terms of your lands in the vicinity of Byron, Contra Costa County?

Have you much land there?

Would also like some general information about your lands, at large.

Am thinking of starting a Scandinavian Colony, and have come to this Coast, partly to consider the propriety of so doing.

I visited your State last Fall; I have since then seen Oregon and Washington Territory; so far *I like California much the best.*

If I could find some good location not too far from market and not too high priced, I would, together with several of my countrymen, settle in your beautiful State.

I have been a missionary in Nebraska and Iowa for ten years, and know a number of men with some means *who are tired of the dreadfully cold and stormy climate in those regions.*

Hoping to hear from you soon, I remain,

Yours very truly,

N. Hayland,
Box 256,
Seattle, Washington Territory.

Mitchell, Davison Co., Dakota, *July 5, 1884.*

Jerome Madden, Esq., Land Agent, S. P. R. R.,

Dear Sir: Asthma, Dyspepsia, Catarrh, Bronchitis, Pulmonary, and other troubles *induced or aggravated by the rigors of the climate here,* admonish a change and several of us desire full information of Southern California, land, water, climate, health, business chances, locations for colonies, etc., etc., also, any information you may have of any colonies of Americans being formed anywhere for that part of the State. Price for an emigrant sleeping-car from some point as near as possible to this place, to, say, Los Angeles, rates of freight, maps, and any information will be appreciated by Yours, etc.,

S. L. CHOATE.

NO. 627 WOOD STREET, PHILADELPHIA, *May 15, 1885.*

JEROME MADDEN, ESQ.,

Dear Sir: I am thinking of coming out to California this summer, and intend settling there permanently, and would be obliged if you can help me in any way, by sending me any printed information about land, its location and price, and the most suitable climate for a person like me troubled with Asthma.

If you can advise the best route for us to take from here, etc., will be much obliged. My health has been poor, as I have been troubled with Bronchitic Asthma for nearly three years, and I suffer very much in this part of the country in the winter. California being so very much milder and warmer in the winter, I am thinking it might be the place for my trouble. I am anxious to try it.

I have two sons, (farmers) who want to come with me, if I should come.

I will await your answer, and I shall be obliged to you to let me hear from you as soon as you can. H. THOMAS.

ELLENVILLE, Ulster Co., New York, *May 25, 1884.*

W. H. MILLS,

My Dear Sir: My health has been terribly poor the last winter, it being so cold I have resolved to go to California before another winter sets in. I wish to obtain books or pamphlets descriptive of the counties through which the C. P. R. R. runs in California, with general information of the resources of the counties of California, and of the railroad lands and prices along the C. P. R. R. in California. I presume the Company have descriptive pamphlets or books of this kind; all books and maps on the subject will be thankfully received. Also, on emigrant aid societies, or on colony organizations. Yours truly,

DR. J. HIGBIE.

VERGENNES, Vermont, *September 4, 1884.*

W. H. MILLS, ESQ.,

My Dear Sir: We have long been contemplating going west for a permanent home, where one does not have to use all they make in the summer to keep them through the cold winter. We have examined railroad and other land books and pamphlets with much care, and have concluded that the climate and healthfulness and productiveness of California is far ahead of that of all other places. From all I can learn the cold and the snow is greater in Dakota, Manitoba, Iowa, Nebraska, Minnesota and Kansas than in Vermont. Will you kindly send me pamphlets or papers touching these matters, and greatly oblige

Your humble servant,

F. W. COE.

ADVICE TO EMIGRANTS.

1. Buy your tickets for passage on railroad or steamboat *only at the office,* before starting. Many of the runners who offer tickets for sale on the streets are *swindlers.* If you intend to go in a steamer or ship, examine the vessel before getting your ticket, and engage a particular berth or room in a part of the vessel that is clean, well ventilated, and just comfortably warm.

2. Never show your money nor let any stranger know that you have any. *Thieves prefer to rob emigrants,* who generally carry money with them, and cannot stop to prosecute them, and have no acquaintances to aid in the prosecution. *Do not mention the fact that you are an emigrant to persons who have no business to know it.*

3. Never carrry any large sum of money with you. You can *always buy drafts at banks,* and if you are going to a strange place, you can give your photograph to the banker to forward to your destination, so that you can be identified without trouble when you want to draw your money.

4. Avoid those strangers who claim to be old acquaintances, and whom you do not recollect. A certain class of thieves claim the acquaintance of ignorant countrymen, *whom they want to rob.*

5. Do not drink at the solicitation of strangers. The first point of the thief is to intoxicate or drug his victim.

6. Do not play cards for money with strangers. In many cases they confederate to rob emigrants. *They will surely* ROB *you if you play with them at any game!*

7. Travel in company with old friends, if possible, and do not leave them. *Thieves prefer to take their victims one at a time.*

8. If you see anybody pick up a full pocket-book, and he offers it to you for a small sum; or if you see some men playing cards, and you are requested to bet on some point where *it seems certain that you must win;* or if you see an auctioneer selling a fine gold watch for five dollars, don't let them catch you. Emigrants are systematically swindled by such tricks, *and you will surely be* ROBBED if you join in any of the above or other game.

9. If, when you arrive in a strange town, you want information and advice, you can always get it by applying at the right place. If you are a foreigner, you will probably find, in the large cities, a consular office or a benevolent society of your countrymen, and you can apply there. Usually there are attentive and polite men at the police office. Public officers generally in the United States are ready to assist and advise strangers.

10. Never fear failure at farming on your own land, if you live economically, work hard, and select your place well. It is better to be very poor for a few years on your own land, than to be moderately poor as a tenant for others. In selecting a home, look ahead. Care more for ultimate than for immediate success. Wherever there is a large district of fertile soil, with a good climate, you can confidently settle down. It must fill up, and the land must rise in value. The fewer the people, the better opportunity you have to select the most desirable spots, and when more rapid immigration comes in, the greater will be the relative increase of population. The agriculturist from Europe or the Atlantic States must learn anew many things in his line in California.

11. It would be the better thing for the intending purchaser of land to come right straight to California, and upon his arrival in San Francisco, to *call at once on*

W. H. MILLS,
Land Agent of the Central Pacific Railroad Company,
Corner of Fourth and Townsend Streets,
Or on San Francisco, Cal.,
JEROME MADDEN,
Land Agent of the Southern Pacific Railroad Company,
Corner of Fourth and Townsend Streets,
San Francisco, Cal.

California needs immigrants, not only those who come here to spend wealth accumulated elsewhere, and live in our beautiful cities, and enjoy our landscape and climate, but those who have wives and children for whom they must earn a living and make a home. Our large tracts of land will be subdivided under the pressure of a large and willing population, which demands them for homes. We want a population of agriculturists, people of rural tastes and instincts, who know how to live on the soil, and direct its fruitfulness to their profit and the gain of the State, and there is no doubt whatever but California is now enlisting more interest abroad than at any previous time since she became a portion of the Union. And there are satisfactory reasons for it, among which we will mention the following: There is more prosperity and more rapid development of her resources, in proportion to the number of inhabitants, than can be found elsewhere. Surely, then, no other land in the world to-day, in point of climate, richness of soil, and natural advantages for great business enterprises, holds out so many inducements to immigrants, whose object is to settle down permanently, and make homes for themselves by industry and perseverance.

History of the Joint Anniversary Celebration

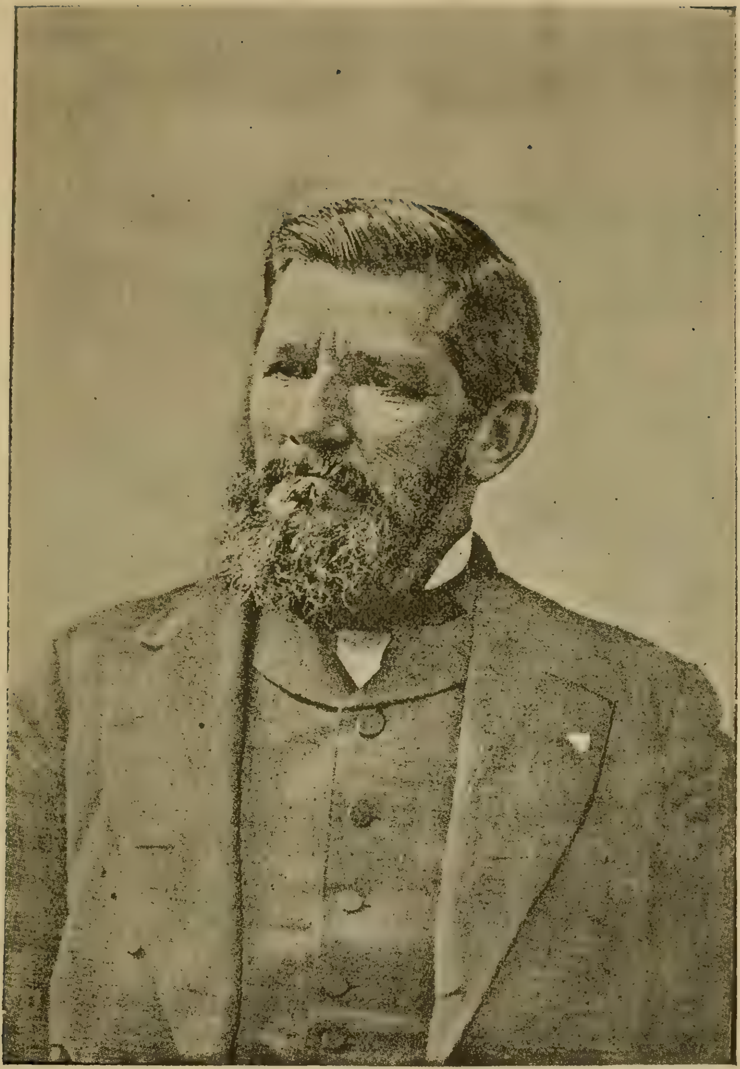
AT

Monterey, Cal.

OF THE

110th Anniversary of American Independence and the 40th Anniversary of the taking possession of California and the raising
of the American Flag at Monterey by Commodore John
D. Sloat of the U. S. Navy, July 7, 1846, the
Celebration being held Monday, July 5, 1886.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION



MAJOR EDWIN A. SHERMAN,
Orator of the Day.

Anniversary Celebration

AT

Monterey, California.

Of the One Hundred and Tenth Anniversary of American Independence and the Fortieth Anniversary of the Taking Possession of California and the Raising of the American Flag at Monterey by Commodore John D. Sloat of the U. S. Navy, July 7, 1846, the Celebration being held on Monday, July 5, 1886.

The first step taken for this celebration was at a regular meeting of the Associated Veterans of the Mexican War held at their hall on Bryant street, near Third, San Francisco, on Thursday evening, May 13, 1886, when Major Edwin A. Sherman offered the following resolution:

Resolved, That a committee of five be appointed to take the necessary steps for a proper celebration of the 40th anniversary of the taking possession of California and the raising of the American flag by Commodore John D. Sloat, of the United States Navy, July 7, 1846, the celebration to be held at Monterey.

The resolution was adopted and the President, Captain Samuel Deal, appointed Major Edwin A. Sherman, Colonels Andrew J. Coffee, A. Andrews. John W. McKenzie and Captain Wm. L. Duncan, ex-President of the Society, as said committee.

The committee proceeded at once to business by inviting the citizens of Monterey, the California Pioneer Society of San Francisco, the Territorial Pioneers, the California Pioneer Society of Alameda and Contra Costa counties, the other Pioneer Societies of Sacramento, Marysville, Stockton, Napa, San Jose and Santa Cruz and the Grand Parlor of the Native Sons of the Golden West to unite with them in making the celebration a success by appointing committees to co-operate and form one General Committee of Arrangements, which was done with the following persons as officers and members:

Major Edwin A. Sherman, Chairman; Henry Lunstedt, Secretary; Robert Dinsmore, Treasurer; Colonels Andrew J. Coffee, A. Andrews, John W. McKenzie and Captain Wm. L. Duncan, of the Associated Veterans of the Mexican War; S. B. Gordon, W. J. Towle, A. Westfall, George Harris, Francis Doud, F. M. Hilby and Captain Thomas G. Lambert, of Monterey; A. C. Taylor, Dr. J. C. Tucker, Captains Wm. F. Swasey and Thomas J. Knipe, of the California Pioneer Society of San Francisco; Robert Dinsmore, President of the Territorial Pioneers of California; John L. Bromley and J. R. Capell, of the California Pioneer Society of Alameda and Contra Costa counties, and Charles W. Decker, W. A. Dorn, Frank McNally, J. A. Steinbach and E. F. Dentler, of the Grand Parlor of the Native Sons of the Golden West.

The following is the programme with the persons named who were to officiate thereon:

PRESIDENT OF THE DAY,

Gov. George Stoneman.

VICE-PRESIDENTS.

Gen. Wm. T. Sherman, U. S. A.
Gen. Oliver O. Howard, U. S. A.
Gen. John C. Fremont
Ex-Gov. P. H. Burnett
Ex-Gov. Leland Stanford
Ex-Gov. R. Pacheco
Gen. M. G. Vallejo
Hon. Elam Brown
Hon. Joseph Aram
Hon. John M. Hollingsworth
Hon. Rodman M. Price
Hon. Wm. P. Toler
Capt. W. L. Haskin, U. S. A.
Lieut. H. L. Harris, U. S. A.
Lieut. C. L. Best, U. S. A.
Lieut. J. T. Webster, U. S. A.
Rear-Admiral R. W. Shufeldt
Commodore Geo. E. Belknap
Commodore John H. Russel
Ex-Gov. J. B. Downey
Ex-Gov. Fred B. Low
Ex-Gov. Geo. C. Perkins
Hon. E. O. Crosby
Hon O. M. Wozencraft
Hon. Pedro Sainsevain
Hon. W. G. Marcy
Col. F. J. Lippitt
Dr. S. H. Willey, D. D,
Capt. F. V. McNair, U. S. N.
Pay Insp. H. M. Denniston
Capt. J. W. Philip, U S N
Capt. J. B. Coghlan, U. S. N.

Lieut. W. F. Harmon, U. S. A.
Lieut. G. W. VanDuesen, U. S. A.
Dr. M. M. Walker, U. S, A.
Col. J. D. Stevenson
Gen. S. Backus, G. A. R.
Col. W. R. Smedburg
Col. C. Mason Kinne
Col. J. J. Lyon
Hon. John S. Hager
Hon. W. J. Tinnin
Hon. Stuart M. Taylor
Hon. N. W. Spaulding
Hon. Wm. M. Boggs
Hon. Chancellor Hartson
Hon. S. H. Shaw
Hon. J. M. Buffington
Rev. O. C. Wheeler
Hon. Erastus Kelsey
Hon. L. E. Pratt
Hon, C. Waterhouse
Hon. Samuel Swift
Hon. J. M. McDonald
Dr. R. H. McDonald
Dr. W. Ayer, M. D.
Hon. Robert H. Lucas
Hon. W. T. Garratt
Hon. R. Dinsmore
Hon. S. O. Houghton
Hon. Anthony Chabot
Hon. E. T. M. Simmons
Hon. T. J. Fields
Hon. T. G. Lambert
Hon. David Jacks
Hon. Felipe Gomez
Hon. Jesse D. Carr
Hon. L. D. Stone
Hon. J. T. Porter
Hon. J. A. Goldwater
Hon. C. B Finch
Hon. W. W. Montague
Hon. D. B. Henarie
Hon. Wm. C. Greaves
Hon. C. E. Gillett
Hon. Wm. F. Pierce
Hon. Jos. N. Souther
Hon. Wm, Vanderhurst
Hon. P. G. Gesford
Dr. Wm. McMurtry
Major G. W. Collier, U. S. M. C.
Capt. C. F. Williams, U. S. M. C.
Capt. C. L. Hooper, U. S. R. M,
Robert A. Williams
Hon. S. C. Hastings
Hon. J. W. Winans
Hon. P. A. Roach
Hon. Peter Dean
Hon. Nathaniel Holland
Hon. H. L. Dodge
Hon. Wm. H. Clark
Hon. J. G. Eastland
Hon. D. J. Staples
Hon. W. B. Farwell
Hon. Alex. G. Abell
Hon. Samuel Brannan
Hon. A. W. Von Schmidt
Hon. P. B. Cornwall
Hon. Wm. R. Wheaton
Hon. Richard Chenry
Hon. Louis Sloss
Hon. John Nightingale
Hon. H. T. Graves
Hon. Wm. T. Coleman
Hon. W. Bartlett
Hon. J. O. Earl
Hon. Gustave Reis
Captain T. J. Knipe
Captain W. L. Duncan
Captain W. F. Swasey
Captain W. M. Blanding
Col. G. W. Bowie
Col. L. B. Hopkins
Maj. R. P. Hammond
Gen. R. P. Hammond, Jr.
Hon. F. A. Hihn
Hon. Chas. Goodall
Hon. Chas. Steinmetz
Hon. W. T. Galloway
Hon. Chas. F. Brown
Hon. Frank Sumner
Hon. J. West Martin
Dr. Jas. L. Cogswell
Dr. Levi Lane
Dr. C. W. Decker
Hon. Henry C. Wilson
Dr. Rawdon Arnold

Letters of invitation were sent to the President of the United States and to the most distinguished men of the country and answers returned and read as will be seen by those published herewith.

Major-General O. O. Howard, fully appreciating the importance of the celebration of this historic occasion, kindly offered the services of Light Battery K, of the First Regiment of Artillery to fire the national salutes from the shore, while Captain C. L. Hooper, of the U. S. Revenue Service, volunteered the services of his vessel, the U. S. revenue cutter, *Richard Rush*, to perform the same duty upon the water in the harbor of Monterey. The Appomattox Drum Corps, of Oakland, offered their services for this occasion which were also received with thanks.

The most perfect harmony prevailed among the sub-committees and not a single incident occurred to disturb them in their work of preparation, and all in Monterey especially worked with untiring industry and good-will to make the celebration a success. The indefatigable exertions of Captain Thomas G. Lambert and wife, who occupied the old Custom house where the exercises were to take place, acted as an incentive to all others, and in the division of labors in the exercises of the day there was the most perfect accord.

The distribution of those selected to take part in the exercises was as follows: Governor George B. Stoneman, a veteran of the Mexican war, from Los Angeles county, as President of the day; Captain Thomas G. Lambert, of Monterey, to deliver the address of welcome, to be responded to by Captain Samuel Deal, President of the Associated Veterans of the Mexican War, of San Francisco; Rev. James O. Rayner, Chaplain of the U. S. Army at Fort Alcatraz, to offer the opening prayer; Gen. M. G. Vallejo, of Sonoma, to raise the Spanish and Mexican flags; Captain J. B. Coghlan, of the U. S. navy, to raise the American flag, receiving it from Master J. B. Whittemore, Jr., a lad of only 10 years of age and the great grandson of Commodore Sloat; salutes to be fired by the U. S. Artillery and the revenue cutter *Richard Rush*; music by the Monterey Band and the Monterey choir, (Star Spangled Banner); reading of the Declaration of Independence, W. R. Merritt, a member of the Monterey Parlor, No. 75, of the Native Sons of the Golden West; reading of Commodore Sloat's proclamation by his grandson, Lieut. J. B. Whittemore, of San Francisco; oration by Major Edwin A. Sherman, a veteran of the Mexican war, of Oakland; poem by Mrs. Eliza A. Pittsinger, of San Francisco, by invitation of the Monterey committee; "America," by the audience, accompanied by the band; benediction by Rev. H. S. Snodgrass, of Monterey.

Dr. A. Westfall, of Monterey, was chosen as Grand Marshal, and the plan agreed upon was carried out to perfection.

The description on the next page, taken from the Monterey *Argus*, the San Francisco *Morning Call* and the San Francisco *Chronicle*, written by the correspondent of the latter, Mrs. Sanchez, of Monterey, will give the reader the best account of the anniversary celebration at that place.

MONTEREY'S DAY.

THE GRAND CELEBRATION OF THE FORTIETH ANNIVERSARY OF THE GREATEST EVENT IN HER HISTORY.

Monday, Monterey witnessed the grandest celebration in her history—grand in numbers and grand in purpose—the celebration of the 40th anniversary of the taking possession of California and the hoisting of the American flag here by Commodore Sloat, on July 7, 1846, as also the celebration of the Declaration of Independence. The sun never before rose and set on a day so replete with joyous, patriotic feeling, so replete with everything that could combine to make it a day never to be forgotten by those who participated in it, and a day so utterly void of anything that tended to mar its splendor.

No boastful exultation marred the occasion, but a calm, proud feeling of entire satisfaction shone from each face, made the eye bright and the step light.

It was essentially California's day—a grand outpouring of her noblest and best. To the aged Veteran who gave us the prize, and to the old Pioneer who has given the best of his life to its polishing, the scene must have been one of proud, infinite pleasure, and he must have felt in the fullness of the words, "It is well."

It is somewhat surprising that this, the most important event in the history of California, should have been so long neglected; that the great work of our Veterans should so long go unnoticed. But the awakening has come and in Monterey, at least, the 7th of July will ever hereafter be one of public celebration.

Just 40 years ago, when this town was new and San Francisco still in embryo, the deep boom of cannon rolling out over the blue waters of Monterey bay and echoing through the wide halls of the then fresh and neat adobe houses, signaled one of those events which unite to make what we call history. On that day the flag of one nation ceased to fly over one of the fairest and richest portions of the globe and another took its place, never to be lowered, all Americans trust, until all earthly Governments fall into chaos. Ten years more would mark the half-century, which would naturally be the most suitable epoch at which to celebrate California's birth as a part of the United States of America, but for the dismal fact that at that time nearly all the original participants in that historic occasion, as well as pioneers and veterans, will probably have gone to their last sleep, and a feast without the principal guests would be but a mockery. Accordingly, it was decided to celebrate the 40th anniversary, and the whole affair has been most successfully managed by Major Edwin A. Sherman, of Oakland, a veteran of the Mexican war.

There being always two sides to each question, and Monterey still retaining as citizens many of those who in sorrow saw the banner of their beloved countrymen lowered, though not in disgrace, but as the fortune of war, on the day which we are now recalling with such great rejoicing, there may have been some of the bitterness of regret beneath the magnanimity with which they have laid aside old scores and joined in the general joy. But if such has been the case, it has been buried deep in the hearts of those who now grant a cheerful allegiance to Uncle Sam, and the ancestral homes of the old Spanish residents of Monterey are to-day decked as gaily for the "fiesta" as those of the "Americanos" themselves.

In a quiet place like this, where eating, drinking and sleeping constitute the usual occupation of the inhabitants, a great celebration such as that of to-day, is an extraordinary affair, scarcely to be appreciated by dwellers in larger towns. For weeks past Montereyans have been in a state of feverish excitement, especially as they had determined to exploit the slender resources of the place in making preparations to receive the expected guests in a suitable manner. The principal citizens have given over their entire time to this matter, and personal affairs have been completely neglected. As a result, Monterey has to-day presented a finer appearance than ever before in her history, in spite of her general condition of dilapidation and decay. All along the line of march property-owners went to work with a vigor which astonished themselves, and spared no expense in the way of paint and whitewash to hide the ravages of years. Young pine trees were cut in great numbers in the surrounding hills and placed along the curbings of Alvarado street, thus giving it the pleasant semblance of a green lane. The white walls and the balconies of the old adobe houses were profusely trimmed and festooned with evergreens, flags and bunting, and flowers were employed to such an extent in the decorations that the old Spanish gardens look as if a cyclone had devastated them. Arches were erected at various points, a number of handsome flags, including a "bear" banner (painted by the artist Stanton of San Francisco), were purchased and run up on tall staffs at the street corners, and altogether the effect, looking down the whole length of Alvarado street, with its background of gleaming white walls, the dark green of the pines, the gay fluttering of the flags and the rich colors of the flowers, was brilliant enough to make the oldest inhabitant believe himself the victim of a midsummer night's dream. Add to all this the picturesque uniforms of the *marineros* from the *Richard Rush*, and of the *soldados* from the camp of Light Battery K, which have been seen about the streets during the week, and it will readily be believed that quiet old Monterey was scarcely sure of her own identity, even before the arrival of the main body of visitors.

On Sunday, the Fourth, another element

was added to the general gaiety by the arrival of the San Francisco Yacht Club from Santa Cruz. The Lurline came in three minutes ahead, the Aggie, the Halcyon and the Nellie following in the order named. All the vessels lying in the bay were prettily decorated with streamers and lines of flags.

Light Battery K arrived at Monterey on Thursday, June 30th, and have been in camp just outside the grounds of Hotel Del Monte. They report a very pleasant march down from San Francisco, the sole casualty being the death of one faithful mule by accident. The officers and soldiers are enjoying every moment of their holiday. The last day's march from San Juan, a distance of 35.95 miles, was made at the rate of 4.16 miles an hour, which is excellent marching time, considering the heavy weight carried. The battery took part in the parade, then moved its guns, four 10-pound muzzle-loading rifles, manned by sixty-two men, to the hill on the Government reservation, where the fort formerly stood, and from that point the salutes were fired. The battery will leave Monterey at 6 A. M., July 7th, and will march back to the Presidio via Santa Cruz aud Pescadero.

The old Custom House was selected as the proper point for the raising of flags and the accompanying exercises, and the Stars and Stripes were run up on the self-same pole which bore them on that memorable day forty years ago. This ancient building is what might be called a piece of national crazy-quilt work, as two portions of it were erected under the Spanish and Mexican flags and afterward patched together by the Americans. This historic building has been in charge of Captain Thomas G. Lambert and wife for twenty years and they deserve great credit for the handsome manner in which they cleaned and adorned it for Monterey's great day. For several days the red, white and blue and the red, white and green (Mexico) have been flying in brotherly fashion from the front of the speakers' platform. General Vallejo, formerly of Monterey, was chosen to raise the Spanish and Mexican colors as being almost the sole survivor of the officials of the latter nation who were here in '46.

As an escort for the veterans and pioneers from the depot to the Custom-house, the Order of the Native Sons of the Golden West was chosen as being the most fitting in all respects. And so young California, whose sun is now rising magnificently in an unclouded sky, helps the failing steps of those who fought the first bitter struggle to gain this lovely heritage for their sons and daughters, and who came to-day to take a last look, as it were, at the spot where their country's flag first floated on the breeze of the Pacific coast.

It may be said that in Monterey there has been to-day such a gathering as will never again be equaled in the history of this State in the union of old-time notabilities. Every veteran and pioneer in the State whose state of health and other circumstances would permit has been here to clasp hands once more with old friends and recall past days. In addition to these the fashionable world has filled the Hotel Del Monte with a gay and brilliant throng, and Pacific Grove has been literally crowded out of doors by the great hordes of people who have rushed in upon them. On Sunday night many weary wanderers traversed the streets, searching in vain for a place to lay their heads. Among the fashionable folks, white and light-colored summer dresses are the rule, and these, mixed in with the uniforms of soldier and sailor, the bright regalia of different societies and the street decorations have made a veritable transformation scene in dry old Monterey.

A few of the expected distinguished guests failed to reach here, but a sufficient number arrived to well support the dignity of the occasion. Conspicuous among those present were: Major Edwin A. Sherman, of Oakland, a veteran of the Mexican war, to whose efforts the success of to-day's celebration was mainly due; ex-Governor Perkins, whose face is familiar in Monterey as a frequent visitor at Hotel Del Monte; General Vallejo, who, although now at the age of 78, enjoyed the occasion with a zest that many a younger man might envy. Among the survivors of the framers of the Constitution were: Hon. Elam Brown, Hon. Joseph Aram and Hon. Elisha Crosby. The Artillery officers: Brevet-Major Wm. L. Haskin, Second Lieutenant Millard F. Harmon, Second Lieut. Geo. W. VanDeusen, First Lieut. C. L. Best, First Lieut. Henry L. Harris, Dr. M. M. Walker, Topographical Assistant Clement Winstanly. Of the navy and revenue service were: Captain C. H. Hooper, commanding the *Richard Rush;* Rear Admiral R. W. Shufeldt, Commander Geo. Belknap, Capt. F. B. McNair, Inspector H. M. Dennison, Commander Joseph B. Coghlan, Lieut. N. B. Harris, Capt. John W. Phillips, Maj. G. W. Collier, Capt. C. F. Williams, Hon. Stuart M. Taylor, naval officer. Besides the preceding there was a large gathering of gray-haired Senators and ex-Senators, veterans and pioneers, who cast aside enough of their dignity to exchange many a lively story of merry times of old, among them being Col. J. J. Lyon, Hon. J. S. Hager, Hon. W. J. Tinnin, Hon. N. W. Spaulding, Hon. S. H. Shaw, Hon. John M. Buffington, Hon. C. Pratt, Columbus Waterhouse, Samuel Swift, Jas. M. McDonald, Dr. R. H. McDonald, Hon. Robert H. Lucas, Hon. Wm. T. Garratt, Robert Dinsmore, Hon. S. O. Houghton, Anthony Chabot, Hon. S. C. Hastings, Hon. Joseph Winans, Hon. Phil. A. Roach, Hon. Peter Dean, Hon. Nathaniel Holland, Hon. Henry L. Dodge, Hon. Wm. H. Clark, Hon. Joseph G. Eastman, Hon. D. J. Staples, Hon. Willard B. Farwell, Hon. Alexander G. Abell, Samuel Brannan, Hon. A. W. Von Schmidt, Hon. P. B. Cornwall, Hon. Wm. R. Wheaton, Hon.

Richard Chenery, Hon. Louis Sloss, Hon. John Nightingale, Hon. Washington Bartlett, Hon. John O. Earl, Hon. Gustave Reis, Capt. Thos. J. Knipe, Captain Wm. L. Duncan, Capt. Wm. F. Swasey, Capt. Wm. M. Blanding, Col. Geo. W. Bowie, Col. L. B. Hopkins, Maj. R. P. Hammond, Gen. R. P. Hammond, Jr., Dr. Wm. H. McMurtry, Hon. F. A. Hihn, Hon. Charles Goodall, Charles Steinmetz, Wm. T. Galloway, Hon. Charles F. Brown, Hon. Frank Sumner, Hon. J. West Martin, Dr. Jas. L. Cogswell, Hon. Levi Lane, P. G. Gesford, Hon. Wm. M. Boggs, Hon. Chancellor Hartson; among Monterey old-timers and leading citizens were observed: E. T. M. Simmons, manager of the Hotel Del Monte; Francis Doud, a pioneer of '48; John Swan, pioneer of '43; Felipe Gomez, present Postmaster of Monterey; David Jacks, Monterey's wealthiest resident; Thos. G. Lambert, who assisted largely in the exercises of the day; T. J. Fields, Capt. W. J. Towle, Wm. Vanderhurst, Jesse B. Carr. L. D. Stone, Geo. F. Clevenger, of the Monterey *Argus;* J. T. Porter, J. A. Goldwater, Charles B. Finch, Hon. W. W. Montague, D. B. Hennarie, Hon. Wm. C. Greeves, Hon. Chas. E. Gillett, Hon. Wm. F. Pierce, Dr. Chas. W. Decker, Joseph N. Souther. Among the ladies present were: Mrs. Captain Hooper, who deserted her temporary home on the cutter long enough to witness the exercises; Mrs. Buffington, Mrs. Addie A. Sherman, Sec'y California Department Woman's Relief Corps; Mrs. H. T. Holmes, Miss Eliza Pittsinger, who came around the Horn in '55; ladies from the family of General Vallejo, and from Monterey, Mrs. Captain Lambert, Mrs. Captain Towle, Mrs. George Clevenger, Mrs. W. W. James, Mrs. Captain Luce, Miss Rosanna Leese and many others. In addition to the above mentioned there were many noted persons present whose names it was impossible to ascertain in the general confusion and excitement.

The young ladies who occupied the triumphal car in the characters of the States of the Union were: Representing the "Goddess of Liberty," Miss Minnie Wornes; the States—Maud Stone, Maggie Jacks, Lillie Wornes, Mary Maddel, Aggie Holmes, Lulu Pyburn, Birdie Pyburn, Ida Joseph, Rosa Abrego, Henrietta Burnett, Lilah Hawthorn, Amelia Gomez, Mariana Gomez, Mollie Whitcomb, Dollie Wright, Carrie Morey, Edith Anthony, Mary Walter, Lillie Cramer, Reinalda Torres, Maud Brown, Lucy Prescott, Florence Prescott, Kate Visalia, Olivia White, Fannie Bostrom, May Bostrom, Rosie Escolla, Lottie Bolco, Blanche Stewart, Mary Sanchez, Edith Little, Louisa Clark, Rosa Addison, Mary Silva, Anna Ulrich, Mary Feliciana.

THE PROCESSION.

The celebration was ushered in at daylight by a salute of 13 guns by the battery. At 11:45 the first train arrived from San Jose, Santa Clara and way stations, and at about 12 o'clock the second train from San Francisco arrived. Shortly before 11 o'clock the different organizations formed line at the Plaza and proceeded to the Del Monte depot, where, after the arrival of the trains, the line of march was formed as follows: Battery K, First Regiment, U. S. A., Monterey Hose Company, Pacific Grove Fire Department, City Band, Grand Officers of the Native Sons of the Golden West, headed by Grand President Decker, District Deputies N. S. G. W., Monterey Parlor, No. 75, N. S. G. W., headed by President Hilby, visiting Parlors, Mexican war veterans, pioneers, triumphal car containing the Goddess of Liberty (Miss Minnie Wornes), Uncle Sam (J. H. Addison) and 38 young girls carrying flags, representing the different States, followed by a long line of carriages containing the officers of the day and distinguished guests. Dr. A. Westfall was Grand Marshal and was ably assisted by his aids, M. M. Walker, Assistant Surgeon, U. S. A., T. J. Fields, A. L. Luce and R. A. Mauldin. The procession marched to Washington street, up Washington to Pearl, up Pearl to Alvarado and down Alvarado to the Custom house, where the literary exercises took place. The procession was nearly a mile in length, and was the grandest and most imposing ever seen in Monterey.

Fully 2000 persons took advantage of the excursion given by the Associated Veterans of the Mexican War, and the streets of Monterey were thronged with people. The crumbling walls and weather-beaten houses had been painted and whitewashed, and even decorated with flags, bunting and flowers in profusion, from Del Monte along the line of march of the procession to the Custom House, where the exercises commemorative of the nation's birthday and the raising of the American flag in California were held.

With the exception of the artillery, which mounted the hills to the old fort, the column halted in front of the Custom-house. The building was wrapped in bunting, and in front of the balcony were designs worked in flowers, flags and war emblems. A little removed from the crowd were the band and fire companies. The apparatus of the latter was profusely decorated with flowers, while each member carried a large bouquet. The artillery was the object of much attention, and as the horses galloped up the hills with the guns amid the clouds of dust the picture recalled to many an old soldier the days when the rumbling of cannon and the shouts of the cannoneers were sounds of every-day occurrence.

The speakers' stand at the Custom House was an object of beauty, being profusely decorated with flowers, evergreens, bunting, etc., the coats-of-arms of the United States, Spain and Mexico, and the dates 1776, 1846 and 1886. The committee who attended to this Mrs. W. J. Towle, Mrs. Lambert, Misses Aggie Hilby and Maria Duarte and Mr. Carter Wadham, are entitled to much praise for the completeness of their work and the beauty of its design.

The following exercises then were held:

EXERCISES OF THE DAY.

Major E. A. Sherman opened the exercises by introducing Captain T. G. Lambert, who welcomed the Veterans on behalf of the city in the following words:

Mr. President, Ladies and Gentlemen: On this, the one hundred and tenth anniversary of the Independence of the United States of America and the fortieth of the adoption of California, the citizens of Monterey welcome you, the Associated Veterans of the Mexican War; welcome, the Pioneers of California; welcome, the representatives of the Army and Navy of the United States; welcome, the Native Sons of the Golden West; and welcome, the ladies and gentlemen of this grand assemblage from every walk in life—all thrice welcome to this historic spot.

Here, 40 years ago a gallant son of the navy flung to the breeze the starry banner, our nation's emblem, that placed California under the protecting care of the American Republic. Near this spot was framed the Constitution under which California sprang forth as a golden star in the silvery constellation of our glorious union.

To the veterans of the Mexican war is our country indebted for this priceless gem in its native state. When these have passed from the scenes of their labors and triumphs to the brighter shore beyond, may you, the Sons of the Golden West, preserve its brightness still undimmed for ages yet to come. The transfer of the State Government, the fleeting tide of population and the flight of swift-winged commerce to the Golden Gate, left Monterey, for many years, almost desolate and abandoned. As was exclaimed by the prophet of old: "How doth the city sit solitary that was so full of people! How has she become as a widow!" But her widowhood passed. To-day, Monterey, like Venus rising from the sea in her beauty, though shorn of her tresses, still remembering the days of old, greets her invited guests with her ancient hospitality, though unprepared for this tidal wave of humanity that has rushed in upon her. And now we extend to you the freedom of California's ancient capital, wherein to participate in the festivities that commemorate the day on which the gallant Sloat raised the American flag, the proud banner of a great nation.

Captain Samuel Deal, President of the Associated Veterans of the Mexican War, responded. He spoke with pride of the part his comrades had played in securing so bright a gem as California for Liberty's jeweled crown. Forty years ago, he remarked, the American flag had been raised at Monterey, proclaiming California for the United States, and he trusted that it would be passed down to and protected by each succeeding generation to the end of time. He called attention to the Fourteenth Amendment to the National Constitution, which proclaims that slavery shall not be tolerated, and said that the Chinese were overflowing the country, in a state of semi-slavery, to the detriment of white labor, which should not be tolerated. He urged the Native Sons of the Golden West to take upon themselves, as the pioneers gradually passed away, the crushing of the discordant elements with which we have now to contend, and thanking his hearers, he took his seat.

Governor Stoneman, President of the Day, being absent, Capt. Wm. L. Duncan, President of the Associated Veterans of the Mexican War, acted as Master of Ceremonies and introduced Rev. Jas. O. Rayner, Chaplain of the U. S. Army and Chaplain of the Day, who offered up an eloquent and fervent prayer during which the audience stood uncovered.

[Chaplain Rayner was present at Sitka, in Alaska Territory, when the Russian flag was lowered by the officers of the Russian Navy and the American flag hoisted by the officers of the U. S. Navy, in 1866.]

General Mariano Guadalupe Vallejo was then introduced and before hoisting the Spanish and Mexican flags spoke as follows in Spanish:

[Translated by EDWIN A. SHERMAN.]

Mr. President, Ladies and Gentlemen: Invited by you, the veterans of the war with Mexico, to take part in the celebration of the anniversary of the Independence of the United States of America, I must commence by offering you my sincere expressions of gratitude for the unmerited honor which you have bestowed upon me in selecting me to raise on this memorable day, with the honors and solemnity of the occasion, the flags of Spain and Mexico, that in no remote time in the past have waved in this historical city with equal glory with

THE BANNER OF THE STARS.

I do not come here to pronounce a discourse, nor much less to portray the history of this country, for it would be too arduous a duty, on an occasion like the present, which requires a more qualified and eloquent voice than mine to undertake the task. I desire to depend solely on those grand actions which, under the first of those glorious ensigns, the immortal Christopher Columbus opened to the eyes of humanity a new world that much later was destined to be the classic land of liberty, and which, by the ingratitude that always pursues the enterprising benefactors of the people, does not bear his name, but that of the illustrious navigator, Americus Vespucius.

Permit me, gentlemen, to express in my native tongue, in the beautiful idiom spoken by the discoverers of this continent. Distrusting any improvisation which might treacherously obscure my words, causing me to forget my ideas and lose my train of thought, I have written out the following, as far as my feebleness will permit:

Three hundred and ninety-four years have passed since the Catholic King and Queen of Spain,

FERDINAND AND ISABELLA,

Met at the siege of Granada, and when the King Boabdil came out with 50 warriors to deliver the keys of the city of the Moors, saying, "Sire, we are yours; the finger of God has so disposed and your Majesty can enter into the city of Granada." And the finger of God also disposed that under the reign of those illustrious sovereigns should be consummated the grandest act recorded in history; that on retiring from Granada they should meet anew with Christopher Columbus, who, disheartened in calling in vain at the doors of all the Kings of Europe for aid in his grand enterprise, presented his last effort to the crown of Spain. Like that enlightened genius Galileo, he was then the victim of misfortune, as others who have been much later, of the ingratitude of men, but who must still suffer and drink from

THE BITTER CHALICE

While complaining of new opposition and disappointment. King Ferdinand refused to give any aid, on account of the depleted treasury, impoverished by the war which he had sustained to the end; but a woman, one of the noblest of women, upon whose forehead shone, with more light than the royal diadem, the brilliant light of genius and of glory, made generous donations ot her ornaments and of the jewels of her crown, that they might be sold to aid the enterprise of the illustrious Genoese mariner who was destined to penetrate the fathomless arcana, and bear to the surface, in his last extremity, the secrets therein hidden. It was impossible for the great Isabella not to read in that clear forehead, so many times dejected, the full light of intelligence and truth. Intoxicated with joy, Columbus directed his way to Palos, and, in company with Pinzon, prepared the feeble flotilla with which he was to defy the furious elements in search of a world until then unknown.

THREE CARAVELS

Formed the expedition, La Santa Maria, La Pinta and La Nina, two of which were without cover or upper deck. Who could think of such vessels plowing the seas, that were destined to work a great revolution in the history of the world? And so it was, gentlemen; for in only six weeks Columbus was to realize the project which had for so long a time enlightened his intelligence. A new world was presented to his sight. That land, the object of his continuous voyages, the confirmation of his conjectures, was destined to afterwards adorn the temples of his protector with a jewel more precious than all her royal crown. It was here, gentlemen, the finishing strokes, as realized under the standard of Castile, this occurred. Twenty years afterward

HERNANDO DE CORTES,

With a brave heart, and carried forward by his martial instinct, disobeyed the orders of Diego de Velasquez, Governor of Cuba, and, relying upon the valor of his sword and the daring and pride of the Spanish race, undertook the conquest of Anahuac, disembarking at Vera Cruz on the 21st day of April, 1519, there burning his ships that there might be no retreat, either of himself or any of the others, in the grand enterprise that he had entered upon. A heroic act, and unequalled in the records of history. The red flames which issued from the decks of those ships were not more than feeble and pallid reflection of the sun of Charles the Fifth, brilliant then from pole to pole.

Two years sufficed for the empire of Montezuma to disappear under the valorous impulses of the Castilian forces. The city of Tenochtitlan was occupied by the conqueror, and the flag of Spain from thence floated throughout the extensive dominions of the Aztec monarchy to the uttermost limit of the conquest. Here, then, gentlemen, was the cause of that standard waving on this same spot, and in the other inhabited places of Upper California.

Mexico, following the example of the United States, and inspired by the advanced doctrines of the

FRENCH REVOLUTION,

Proclaimed her independence, and on the 27th day of September of 1821, three centuries after the taxing of Mexico by Cortes, in the same city, the army of the liberator entered, headed by Don Augustin de Iturbide. Independence having been accomplished and the regency established, the prebendary Fernandez de Jauregui was commissioned to proceed to this same city of Monterey to receive the command at the hands of the Spanish authority. When this was accomplished, the Governor of California was Don Pablo Vicent de Sola; and I, gentlemen, then in the dawn of life, and for the first time, saw raised and waving in this place the tri-colored flag. Twenty-five years had passed and we saw Mexico involved in a war with the United States, the causes and justice of which I shall not undertake to pass upon, for already the history has been written, and the release by a session of a part of her territory to this last nation, among which was embraced the State in which we live and in which I first saw the light.

Commissioned by you to-day to raise those two flags in sign of respect to your predecessors, I accept with pleasure this duty, for I was born on this piece of land and reared under the ensigns of Spain and Mexico, the two which I salute at this hour with all the fervor of my soul."

General Vallejo then spoke extempore in English and then reverently raised the Spanish and Mexican flags respectively, which were saluted by the Light Battery K, First Regiment, U. S. Artillery, Major Haskins commanding, and the U. S. revenue cutter, *Richard Rush*, Captain C. L. Hooper commanding, with 21 guns each, the audience cheering each flag as it went up.

Master J. B. Whittemore, Jr., a lad of 10 years of age, and a great grandson of Commodore John D. Sloat, then brought forward the American flag and presented it to Captain Charles F. Williams, of the U. S. Marine Corps, (Captain Joseph B. Coghlan, of the U. S. Navy, being sick and unable to attend), who then raised it to the top of the original flag-staff where it was first hoisted by order of Commodore Sloat. A National salute of 38 guns was fired by the Light Battery of Artillery and by the revenue cutter, *Richard Rush*, during which the "Star Spangled Banner" was played by the Monterey Band and sung by the entire audience.

The Declaration of Independence was then read, in a very effective manner, by W. R. Merritt, of Monterey Parlor, No. 75, of the Native Sons of the Golden West.

"Hail Columbia" was then played by the band

Lieut. J. B. Whittemore, the grandson of Commodore Sloat, then received from the hands of Hiram T. Graves, Esq., the Secretary of the California Pioneer Society of San Francisco, loaned for the occasion, the original proclamation of his grandfather, which he read in a clear and audible tone of voice, which was received with three hearty cheers, and then delivered to Mr. Graves, the custodian.

The following telegram was received too late to be read:

TELEGRAM.

WASHINGTON, July 3, 1886.

To Major Edwin A. Sherman:—Many thanks for cordial invitation. Regret sincerely that I cannot join in commemorating the day we raised our flag and broadened the sovereignty of the American people to the Pacific shores. I send the pioneers and comrades my fraternal and hearty congratulations. JOHN C. FREMONT.

Capt. Wm. L. Duncan, Ex-President of the Associated Veterans of the Mexican War and Master of Ceremonies of the occasion, then stepped forward and said:

Mr. President: Before introducing the Orator of the Day, it is eminently just and proper that due credit shall be given to our Chairman of the Committee of Arrangements who has so fully performed his duty in making this celebration a harmonious and perfect success. To him we are indebted for the conception of this affair, and the masterly manner in which it has so grandly been brought to perfection. For nearly two months he has devoted his time and services, as well as money, written hundreds of letters of invitation, inspired our comrades and fellow-citizens all over the State to give their earnest attention to this celebration. His personal influence with Major General O. O. Howard, Commanding the Pacific Division of the United States Army, caused that distinguished soldier, gentleman and patriot to send the Battery of Flying Artillery to fire the national salutes from the shore and, with Captain C. L. Hooper, of the U. S. revenue cutter, *Richard Rush*, to also fire the salutes in the harbor, to whom we are most profoundly grateful for their kindness and services on this occasion, which is one long to be remembered by the people of this place.

But our comrade has not only done this, but that most difficult and delicate task of covering the sharp thorns of the cactus of national prejudice of birth, on the part of the native Californians, once subjects of Spain and citizens of Mexico, but who, by treaty, were transferred to another nationality and citizenship, with which they had once been in conflict, to unite with us in this celebration. And the most distinguished general, statesman and patriot which California has produced was born here in Monterey, the subject of Spain, who became a citizen of Mexico by the revolution for independence and a faithful military officer under that government, honors us here to-day by his presence and in raising the flags of the two nationalities under which he was born and reared, on the spot that gave him birth, our honored guest and fellow-citizen, General Mariano Guadalupe Vallejo, with whose assistance we have been enabled to thoroughly and completely cause the native Californians, also our fellow citizens, to fraternize with us on this auspicious occasion.

To Captain Thomas G. Lambert and all the other citizens of Monterey are we greatly indebted for their efforts and labors rendered to make this a memorable event worthy to be preserved in the annals of not only the old Capital of Monterey, of the State of California, but of the United States at large.

I now take pleasure in presenting to you our esteemed comrade, the Chairman of the Committee of Arrangements, and the Orator of the Day, Major Edwin A. Sherman.

The President of the Day then presented Major Edwin A. Sherman, the orator of the occasion, who delivered the following

ORATION.

Mr. President, Comrades, Veterans of the Mexican War, Fellow Pioneers, Native Sons of the Golden West, and Citizens of California:

We have assembled here on this spot to commemorate the natal day of the American Republic, and the setting of the most brilliant and precious gem in the coronal of stars, that adorns the brow of our beautiful and loved Columbia; who, in the morning, washes her hands and her face in the Lakes, the Gulf and the Atlantic, and in the evening bathes her feet in the placid waves of the Pacific, and retires to rest, lulled to slumber by the murmurs of the two oceans, her ever faithful attendants and servitors.

We come here to-day as American citizens, to commemorate events in the annals of our country, which have made liberty for all men possible within its borders, and its perpetuity for the generations yet to come imperishable; while a glorious future, far beyond the dreams of the poet or the calculations of the philosopher, awaits at the opening doors of the 20th century. In six years more, the 400th anniversary of the discovery of America by Columbus, will be celebrated from the frozen circle of the North, to the extremity of the land of fire (of Terra del Fuego,) while the echoes of the thunders of almost countless cannon on sea and land will reverberate around the globe. "To Castile and Leon, Columbus gave a new world," but Columbia redeemed and consecrated it to freedom, and its face is still moist, from the crimson baptismal waters in the font of liberty set up just 100 years ago. Let us take a brief retrospective glance over the past, and mark the progress of the human race towards the goal of freedom. Spain at the very date of the discovery of America, had after a contest of 800 years driven the Moors from her soil, and the swords and lances of her chivalry were still wet with the blood of the Moslem, who had departed across the Mediterranean to return no more. The banishment of the Jews with the confiscation of their property soon followed, and new fields must be sought for the employment of her disbanded warriors. to gratify their cupidity and avarice, to prevent them from plundering their countrymen at home. America presented the opportunity and Spain almost denuded herself of her military and naval forces, distributing them over the western continent. Expedition after expedition was launched forth composed of soldiers and priests, who penetrated to the remotest regions to erect fortresses and churches, plant cannon and crosses, and forcibly convert the half-civilized heathen of the New World to obedience to a military faith. The consolations of a new religion with 175 feast days in the year, were exchanged for the products of the soil and the precious metals of the mines. The wars of Charles V. and Philip II. in Europe, demanded that the colonies should produce largely; and as a sequence, the destruction of Indian life was immense. In 1,400 mines no less than 8,250,000 Indians perished under colonial rule in Mexico, Central and South America, stretching from the Colorado and Gila Rivers on the North, to the Straits of Magellan on the South. Fortunately, however, the virgin soil of California was exempt and its settlement delayed for nearly two centuries and a half, when a milder regime of government prevailed in the planting of the Missions from San Diego to Santa Rosa, and the attention of their colonists was directed to pastoral and agricultural pursuits. In the Old World, the nations of Europe were either contending and battling with each other, or oppressing the people whom they forced into their armies, and levied the most extortionate exactions upon them to pay the costs of interminable wars; while fanaticism and religious persecution ran riot, and there was no relief or refuge to be found, except in the savage wilds of America.

France erected an icebound barrier on the north, and invested the English colonies by the Mississippi Valley and its tributaries on the west, behind which, Spain was entrenched with a parallel extending to the Pacific, and the same time flanked them with Florida, Alabama and Mississippi on the south. Thus were the 13 colonies hemmed in by two hostile nations with their savage auxiliaries, who reveled in constant warfare on the frontiers against the ever advancing and resistless Anglo-Saxon civilization. The constant drain upon the American Colonies of men to fight the battles of the Mother country, and taxes unjustly levied, grievous to be borne, and without representation in the government that exacted them, united the Colonies in one Confederation in a war for Independence, and the natural rights of man as expressed in that immortal Declaration to which you have just listened. The American Republic was born, and the United States of America put on the robes of national sovereignty and freedom. England with the help of her American Colonies, had wrested Canada and the Provinces from France, and demanded money as well as blood from her subjects in the New World, and trampled the rights of freemen in the dust. In the long contest, Great Britain failed. The valor of America was put to the test, and under Washington directed by an overruling Providence, victory perched upon the standards of the American Armies of the Revolution.

To Thomas Jefferson is America indebted to-day for its greatness and power. The principles enunciated of equality of man, in the Declaration of Independence, which were carried back to France by Lafayette and his auxiliaries, planted the seeds of liberty in Europe never to be destroyed. As

Minister to the Court of Versailles, Jefferson, like Franklin, was a faithful representative of the young American Republic, and true to the democratic principles which gave it birth, which require room and breadth of territory, to give them expansion and development, that their fruit may bring happiness to man. To attain this, the nations of Europe must cease to attempt to govern any portion of America. Upon his return from France, and after 12 years of experimental government of federal rule, under a written Constitution, Jefferson is elected the third President of the United States, which office he holds for a period of eight years. For 15,000,000 of dollars he buys the territory of Louisiana from France, and then Mississippi, Alabama and the strip of territory lying immediately west of Louisiana from Spain, leaving Florida still to be negotiated for. He starts exploring expeditions into the then unknown west; the sources of the headwaters of the Mississippi and Missouri rivers are traced, and Lewis and Clark, the brave and indefatigable explorers, cross the dividing ridge of the Rocky Mountains, embark upon the turbulent waters of the Columbia, and the northern rim of the Great Basin is marked upon the map of the Continent.

England still smarting from her defeat, and jealously watching the strides of the young republic, seizes upon the territory of the Northwest, and driving Astor from the Columbia river, plants her military post at Vancouver, and places that portion of our country under tribute to the monopoly of the Hudson Bay Company, whose trading-posts extend from the Atlantic to the Pacific, and from the southern line of British America to the North Pole. The second war of American Independence is fought to a successful termination, but still there remained the questions of unsettled boundaries out of which new difficulties continually threatened to arise. The Hudson Bay Company had no use for the n r hern portion of the Continent for colonists, who would till the soil, or develop the mineral wealth that lay hidden in British America, which it claimed as a vast hunting and trapping ground. Married men from the mother country it would not employ, and the ties of a pure consanguinity and civilization were inimical to its miserly and sordid interests. "*Pro Pelle Cutem*," ("we trade for furry skin") was its motto, and all of its officers and men must intermarry and cohabit with the Indian tribes, for the purposes of gain, while the chief factor with his dusky bride, who was faithful to his trust, is raised to knighthood and decorated with the Order of Knight Commander of the Bath.

The whole vast interior from the Rocky Mountains, drained by the Mississippi and Missouri Rivers and their tributaries on the east, with those of the Columbia and Frazer on the west, and from Baffins Bay to the Arctic sea, paid tribute to this tremendous gigantic monopoly, that wedded civilization to barbarism, and debased the blood of a superior race by turning it from its pure and natural source, into the dark channels and polluted sinks of a savage wilderness to be lost forever. This formidable barrier to American civilization, (which was ever advancing towards the setting sun) loomed up with threatening aspect, and like the glacier, constantly encroached upon the domain of the United States, while American and British interests clashed with each other.

Whitman, the American missionary, had planted his school near the banks of the Columbia, in sight of the Hudson Bay Company's forts, from which floated the British flag on the soil of the United States, which was threatened to be taken from them altogether. This faithful voluntary watchman of our country's interests, amidst the snows of winter, crossed the Rocky Mountains, and after almost incredible hardships reaches Washington in time to save Oregon, Washington, Idaho and Montana Territories from being relinquished to the British Crown; and returns in the spring with an emigration, to hold the valleys of the Willamette and Columbia, and the hardy frontiersman of Missouri with his family around him, armed and equipped, confronts the half-breed hunter and trapper with his squaws on the banks of that noble river, discovered and named "Columbia," by Gray the Yankee skipper from Boston. The tides have met; and one must recede; but 'tis not that of the white race which is to yield to the other. Whitman is murdered, which was not an unlooked for event; and though the Hudson Bay Company may have had no direct "hand in his death," yet expected to "receive the benefit of his dying," by the deterring of emigration from the States, through threatened Indian hostilities, incited by its emissaries and agents scattered through the innumerable tribes.

But their hopes were vain in that respect, and the question of boundary by which Great Britain and the United States might again become involved in war, and thus retard the growth and development of the northwest was raised, and hostilities threatened again to break out between the two countries. The democratic party was in power and its slogan in the heat of political partisan strife was, "*fifty-four, forty or fight!*" The war spirit of the nation was aroused to fever heat; but it is found to be expedient to drop down to the 49th parallel of latitude for the time, for there is a greater and more valuable prize in store, and the way to beat the English game, is to follow the advice of Horace Greeley and "go west," instead of going north, while the United States can afford to wait for the fruit to ripen, which in time will drop into the nation's basket. [Applause.]

Leaving the northwestern question for awhile, let us again direct our attention to the southward.

In 1820, Mexico, suffering from evils a hundred-fold worse than were ours from the mother country, threw off her allegiance to

Spain; and after a bloody war in which no quarter was given or taken, drove O'Donoju the Viceroy with the remnant of the Spanish troops from her soil, and established a republic of anarchy, with church and state united, while the clergy ruled the government, owned three-fifths of the territory and controlled the revenues of the republic. The empire was built by Iturbide upon its ruins to be soon overthrown, and the ambition of military chieftains for power and the spoils, while the wheel of political revolution, propelled by arms, was kept in continual motion; and no matter by whom it was turned, the hierarchy was ever on top, directing the motive power and running the game of political *roulette*, in which it was always a winner.

To prevent the constant inroads of predatory Indian tribes on her northern frontier, Mexico invited American colonization to serve as a barrier on the grassy plains of Texas.

Austin, with hundreds of New England families from Connecticut, accepted the terms and commenced to found communities and establish settlements, in which he was afterwards joined by emigrants from the States of the Mississippi valley, carrying with them an advanced civilization to the wild frontiers of a people that were centuries behind the age. By the constant change of political chieftains the terms of colonization were broken, forced loans were exacted and resisted, the melody of the songs of Methodist camp-meetings found no responsive chords in the breasts of those who taught a different creed, and the passions of jealousy and hatred soon found vent in the most horrible crimes of murder, arson and rapine, which threw Texas into revolution. A war for independence, which was destined to be successful, soon followed with the capture of Santa Ana, the Military President of Mexico, on the bloody field of San Jacinto, who recognized the independence of the "Lone Star Republic."

The massacres of the Goliad and the Alamo embittered the Texan mind, while eternal hostilities with the Lipan and Comanche tribes of Indians threatened to depopulate the country, and wipe the last remnant of American civilization from the blood-bought plains of Texas. As a distinct Republic it could not stand alone, and negotiations were being proposed to the Governments of the United States, Great Britain and France, into the arms of one of which Texas was ready to throw herself for protection. "Guizot, the Prime Minister of France, openly avowed the right of European nations to interfere in national affairs upon the Western Continent, to preserve the balance of power." Both England and France were opposed to the annexation of Texas to the United States, but their opposition was in vain. The spirit of the Monroe doctrine asserted itself, and on the 1st day of March, 1845, President Tyler signed the bill of annexation, which was ratified by the Legislature of Texas on the 4th of July following, and the Lone Star Republic gravitated to the Constellation of the American Union.

England, thwarted in her plans in Texas and jealous of the growing power and influence of the United States, was determined to compensate herself in the payment of the debt due her subjects by Mexico, secretly negotiated with that government for the sale of California, while her powerful ships of war, like huge birds of prey hovering along the Pacific Coast, were ready to seize possession and raise the British flag.

"At that time there was domiciliated with the British Legation, in the City of Mexico, an Irish, Roman Catholic priest, (the secret agent of the British Government) by the name of Eugene Macnamara, who made application for a grant of land for the purpose of establishing a colony in California. He asked for a square league of land, 4,428 acres to be given to each family and half a square league to each child. The territory to be conveyed to him should be around San Francisco bay, embracing 3000 square leagues. He agreed to bring a thousand families at the beginning, outnumbering the entire population of California at that time. His object stated in his memorial to the Mexican President is in these words: "I propose, with the aid and approbation of your Excellency, to place in Upper California a colony of Irish Catholics. I have a triple object in making this proposition. I wish, in the first place, to advance the cause of Catholicism. In the second, to contribute to the happiness of my countrymen. Thirdly, I desire to put an obstacle in the way of further usurpations on the part of an irreligious and anti-Catholic nation." His proposal was favorably entertained by the Central Government of Mexico. It was referred for a final decision to the landholders and local authorities of California. Conventions were about being held to perfect the arrangements. Macnamara was landed from the British frigate *Juno* at Santa Barbara, and the scheme was ripe for the transfer of California to the British Government, which would have expatriated every "home ruler" and his family from Ireland to California, while Johnny Bull would have used the brawny hand of Patrick as the monkey did the paw of the cat, to pull the chestnuts out of the fire. Macnamara returned then to Mexico to complete his plans. [Applause.]

In the earliest days of the Spanish occupation of California, when it was very sparsely settled, a young sergeant was at one time sent to carry a dispatch to one of the then remote northern missions. After a very long and hard day's ride he arrived at a small rancho, (now in San Luis Obispo county) occupied by a young couple who had been married nearly a year before, and who lived there alone and whose nearest neighbors were nearly a hundred miles away. About midnight the young sergeant was aroused by his host to assist him in taking the census, a new duty for him and under peculiar circumstances. Though there was no balm in their Gilead, yet there was no physician there, and a young senorita presented herself, who required immediate attention, which the young but inexperienced sergeant gave, and when he placed the babe in its mother's arms, taking it by the hand, he said to the parents: "I demand the hand of this little lady in marriage," to which the parents laughingly assented and gave their promise. This is the earliest proposal to a young lady on record. [Applause.] The next day he resumed his journey, and in about a week reached his destination, where, transacting his business and procuring some presents, he returned, stopping over night at the house of his young *fiance* on his way to the post where he was stationed.

About 14 years afterward he was sent on a similar journey as before, to escort one of the mission fathers, and again stopped over night at the same rancho, where there were quite a number of olive branches around the table. Walking up to the oldest girl, he took her hand and said: "I have come to claim you as my wife, for your parents betrothed us here some 14 years ago. I have brought the Padre along, who is to unite us together." The young lady was overwhelmed and bewildered with astonishment, not remembering that she had ever received a proposal for marriage. She appealed to her parents, who assured her it was nevertheless true. Accordingly the promise was faithfully carried out. The sergeant continued his journey, and on his return his young bride accompanied him home.

In due time there was another increase of the census, in which that sergeant was interested; and a boy now appears upon the scene who grows up to manhood, bright and intelligent and as brave as any of the chivalrous Dons of Old Spain. He becomes a soldier, and is educated in military science fitted to command; the flag of Spain has given place to that of the Republic of Mexico which waves over his native land. Honored and intrusted with a commission in the army of high rank, yet nevertheless he has been fitted by nature and education for the duties of a statesman. When California, neglected and abused by the Central Government of Mexico, and an army of convicts was sent to rule California, the movement was resisted by patriotic and manly force; and when, in the Departmental Assembly, it was proposed to turn the government over to England or France, he said: "Never will I consent to place my native country again under the government of a monarchy, or appeal to an European power for protection; but if it is our destiny that we shall have to apply somewhere for protection, let us go to that great Republic of our own continent where true freedom and protection exist for all—the United States of America." [Applause.]

That man, the offspring of that romantic birth and marriage, is he who raised the flags of Spain and Mexico to-day, born here at Monterey, July 7, 1808, whose birthday we also celebrate, and who helped to frame our first Constitution of California—General Don Mariano Guadalupe Vallejo. [Three cheers for Gen. Vallejo were given.]

In the town of Goshen, Orange county, in the State of New York, in the year 1780, was born the greatest little man that America has produced—JOHN DRAKE SLOAT. [Applause.] He was the posthumous son of Capt. John Sloat, an American officer of the War of the Revolution for independence, whose unfortunate fate it was to be accidentally shot by a sentinel just before that war closed, and whose widow survived him but a short time after the birth of their son, who was left to the care of his maternal relatives. He was named for his grandfather Drake, a descendant of a collateral branch of the family of Sir Francis Drake, the celebrated admiral and navigator who destroyed the Spanish fleet in the British Channel during the reign of Queen Elizabeth. He received his education in the common public schools and became especially proficient in mathematics. When scarcely 19 years of age, and unbeknown to his family, he starts for the city of Washington, and, unaided, succeeds by his persistency and perseverance in obtaining from the President, John Adams, a midshipman's commission, Feb. 12, 1800, and was ordered to the frigate *President*, Commodore Truxton, who took command of her soon after his gallant exploits in the *Constellation* (the capture of the French frigates *L'Insurgente* and *La Vengeance*).

At 20 years of age he had attained his *full* hight of 5 feet 3½ inches. [Laughter.] He was of compact build, his head well poised upon his shoulders, the nose, cheek and jawbones well developed and prominent, with features strongly marked, denoting firmness of will and strength of purpose.

In 1801, upon Jefferson's accession to the Presidency, the navy was reduced, and young Sloat was granted a furlough, and he entered the merchant service as captain before he attained his majority. His grandfather Drake having deceased about this time, he received a valuable inheritance, among which were 12 slaves, to whom he immediately gave their freedom. Having invested his means in commerce, and continuing to sail his vessels to Europe, with varied success, until the war with Great Britain in 1812 broke out, he was thrown out of business. He then gladly availed himself of an offer by his old and esteemed friend, Commodore Decatur, to become sailing-master of the frigate *United States*, when 32 years of age; and on the 25th of October, 1812, he maneuvered and fought that ship against the British frigate *Macedonian*, brought her to close quarters, and, though badly wounded in the face did not quit his post during the action until the enemy's ship was captured. [Applause.]

For his gallantry and skill, at the recommendation of Commodore Decatur, he was immediately promoted to the rank of Lieutenant. On the 4th of December the *United States* anchored off New London, where she was blockaded during the war, which interval he improved by marrying a daughter of James Gordon, a merchant of Norwich, Connecticut.

When peace was declared, he took another furlough and engaged in commercial enterprises. He bought and took command of the clipper *Transit* and loaded for France. He was with his vessel at Nantz, when the star of the great Napoleon set forever, and engaged to bring him and his suite to the United States, but was frustrated by the indecision of the Emperor's friends, which resulted in the surrender of Napoleon to the English blockading squadron.

Several years intervening and he is ordered from station to station and from one vessel to another until Sept. 30, 1822, when, as First Lieutenant, he is ordered to the frigate *Congress*, Commodore Biddle, and in the autumn of 1823, by great courage and skill, when in command of that ship during a hurricane, tidal wave and earthquake, at Port La Guayra, saved that vessel when twenty-two merchant ships and a Colombian man-of-war were totally lost. [Applause.]

He was soon after ordered to take command of the schooner *Grampus*, to suppress the slave trade and piracy in the West Indies, in which he was remarkably successful and drove the Chief Cofrecinas, with the remnant of his crew on shore at Porto Rico, where all were captured and shot, Cofrecinas confessing to having himself murdered over 400 persons. Being promoted from rank to rank and repeatedly transferred from one ship and station to another, on the 27th of August, 1844, he is ordered to the command of the Pacific Squadron. In 1845 he hoists his pennant on board the frigate *Savannah* in the harbor of Callao and sails for Mazatlan, Mexico, to watch and wait for anticipated events to develop themselves, and protect the honor and interests of his country.

On the 24th of June, 1845, Bancroft, the Secretary of the Navy, sent to Commodore Sloat the following instructions:

"It is the earnest desire of the President to pursue the policy of peace, and he is anxious that you and every part of your squadron should be assiduously careful to avoid any act which could be construed into an act of agression.

Should Mexico, however, be resolutely bent on hostilities, you will be mindful to protect the persons and interests of the citizens of the United States, near your station, and, should you ascertain, beyond a doubt, that the Mexican government has declared war against us, you will employ the force under your command to the best advantage. The Mexican ports on the Pacific are said to be open and defenceless. If you ascertain with certainty that Mexico has declared war against the United States you will at once possess yourself of the Port of San Francisco, and blockade or occupy such other ports as your force may permit.

There are so many conflicting statements in regard to the information received by Commodore Sloat of hostilities having broken out between the United States and Mexico, the sailing for Monterey and taking possession of California, and so many men who hoisted the American flag at this place on the 7th of July, 1846, that if the story of each was to be believed it might reasonably be doubted that the American flag was ever raised here at all.

That Commodore Sloat was a man of no decision of character, vacillating in his methods, and that if he had not been urged by his subordinate officers that he would have either sailed away or permitted the British Admiral to have sailed into the harbor of Monterey and taken possession of California without protest or remonstrance on his part whatever. The "little tyrant," as he was called by his men, was of different mettle, as we have shown by his fighting qualities and prompt decision of character. He knew what he was about and calmly and coolly kept his own counsel, obeyed his instructions, and when he got ready to act did so promptly and decisively.

The following account was given to me by a lady of his own family, to whom he related the circumstances at his home in New York, about one year before he died, and she is now living in San Francisco, and we give it as she stated it, believing it to be correct in the main, though it is said that Parrot, the American Consul at Mazatlan, furnished the information that the *Collingwood*, Admiral Seymour commanding the British fleet, lay at San Blas, and the following account pure fiction. But let us hear the old Commodore's story of the affair as he gave it himself:

On the 5th of June, 1846, while lying in the harbor of Mazatlan, Commodore Sloat and his staff received an invitation from Admiral Seymour, of the British Squadron, to dine the next day on board the flag-ship *Collingwood*. The invitation was accepted, but as the evening drew near, the Commander, having become indisposed, has to retire to his cabin, but sent his regrets by his son, Washington Sloat, his private secretary, who explained the unavoidable absence of his father. The young man being pressed to remain and dine with the British officers, did so, and among the guests were several Mexican officials who sat next the Admiral at the table, Young Sloat was well entertained and an officer about his own age paid him particular attention. When the cloth was removed, the champagne flowed freely and a hilarious time according to the good old English custom of drinking the last man under the table was indulged in, just previous to which the Admiral and his Mexican guests retired. Young Sloat kept his eyes and ears open and, instead of drinking all his wine, would pour it out slyly and fill his glass up with water. The young British officer by his side became exceedingly loquacious and forgetting for a moment that he was talking to an American said: "It is too bad that we have got to go to sea, for we shall miss going to the ball to-morrow night. Damn the Yankees and Mexicans, why could they not have postponed their fighting for a few days instead of destroying our pleasure."

"Take another drink," said young Sloat, and poured him out a bumper which he quickly disposed of, and in a semi-oblivious state and being no longer responsible for his tongue, young Sloat drew from him the information that the battles of Palo Alto and Resaca de la Palma had been fought and the Mexicans badly defeated; that orders had been given by Admiral Seymour to get ready immediately for sea. When the British officers were almost in a state of syncope, young Sloat arose and proposed a toast to the Queen and the English Navy, and took his departure for his own ship.

On gaining the deck of the *Savannah* he went immediately to his father's room and woke up the Commodere, saying, "Governnor! Governor! Come get up. There is mischief afloat, and there is no time to be lost! Our army and the Mexicans have had a fight and war has broke out. I learned it on board the *Collingwood* from one of the officers, and the Admiral has given them orders to get ready immediately for sea. I have just left them all drunk, and the most of them are under the table." [Applause.]

Commodore Sloat immediately arose, the necessary orders were quietly given and sent to the other vessels of his fleet. The anchors were hove up and the *Savannah* leading, led the way out of the harbor of Mazatlan in a thick fog and got well to sea. When the mist cleared away the British Admiral Seymour was astounded to find the American fleet gone, and the line-of-battle ship *Collingwood*, of 80 guns, was soon under a cloud of canvass in hot pursuit of the Yankee man-of-war. [Applause.]

Commodore Sloat, now on his grand mission, strikes across the blue waters of the ocean, apparently for the Sandwich Islands, but to take advantage of the trade winds that are to waft him over the billows and on the home tack for the long-watched and waited-for and coveted prize, our Golden California. Heaven sends its favorable breezes and on the 2d day of July, 1846, the little plucky Commodore, having out-sailed and out-maneuvered the great line-of-battle ship of 80 guns, the *Collingwood*, drops his anchor in this beautiful harbor of Monterey. Three days elapse and the flag-ship *Savannah* is joined by the U. S. sloops-of-war, *Cyane* and *Levant*, once under the British flag, but captured by that grand old frigate "Old Ironsides," the *Constitution*, under Captain Chas. Stewart, which fought them both at once on the 20th day of February, 1814, in our last war with Great Britain.

An officer of the *Savannah* writing home, whose letter reached New York before the dispatches of Commodore Sloat arrived at Washington, wrote as follows:

"On the 6th of July all was bustle in the cabin of the *Savannah;* some men being busily employed in writing letters, proclamations, etc., preparatory to taking possession of California. It was long after the witching hour of midnight ere I was enabled to catch a short and troubled repose, as all was to be prepared by six o'clock the following morning, which came as bright and beautiful as a July day of our own favored land. At six o'clock, A. M., Captain Mervine came on board to receive orders, and at seven he left with a summons to the military commandant of Monterey to surrender the place forthwith to the arms of the United States, and also a similar summons to the Military Governor for the surrender of all California.

At nine, A. M., on the 7th of July, the expedition from the *Savannah*, composed of boats of the *Savannah*, *Levant* and *Cyane* landed without opposition at the mole. The forces were then marched up a short distance to the Custom House. Here the marines and men were halted and the proclamation read to the multitude by Rodman M. Price, Esq., purser of the *Cyane.*, in a loud and distinct manner, with three hearty cheers by those present. The flag of the United States was then hoisted by acting Lieutenant Edward Higgins, immediately after which a salute of 21 guns was fired by the *Savannah* and *Cyane.* The Custom House was then turned into barracks for the United States forces and everything settled down quietly."

Communications were immediately dispatched to Commodore Montgomery, of the *Portsmouth*, at San Francisco, at which place and at Zanonai (Sonoma) the United States flag was hoisted on the morning of the 9th; and before 10 days had elapsed, the whole of California, north of Monterey, was under the flag of the United States, much to the apparent satisfaction of the people, who hope it will last, knowing how much better off they will be under the government of the United States."

The Military Commandant retired, and in reply to the demand to surrender, said he "had received no orders to surrender," and evacuated the earthworks, abandoning 11 guns, which were immediately taken possession of, and the American flag also floated from the military flag-staff, the Mexican flag having been carried away by the few retreating forces which had occupied the works. [Applause.]

On the 16th of July, the British line-of-battle ship, *Collingwood*, with the Priest Eugene Macnamara on board, came in under full sail into the harbor of Monterey and anchored within pistol-shot of the American flag-ship *Savannah*, which, with the other vessels, was ready for action; the decks were cleared, anchors hove short, the matches were lighted and the gunners stood by loaded cannon; the yard-arms were full of men ready to drop the sails on the instant of a signal. "In fact," said Commodore Sloat, "we did everything but show our teeth—run the guns out at the port-holes." The Commodore instantly lowered a boat and sent an officer with his compliments to the Admiral, who came in person to return the compliment. His practical eye could not help but observe the preparations for immediate action. "You seem to be about to give your men some practice in the art of gunnery," said the Admiral, as he shook hands with the Commodore. The American Commander pointed to the flag on shore and remarked that he "did not know but it would take some practice to keep it there. [Applause.]

"Will you answer me candidly one question?" asked the Admiral, "did you get any dispatches through Mexico just before you left Mazatlan?"

"I did not," was the prompt answer, but Commodore Sloat did not tell him that he had standing orders, more than a year old, from Bancroft, the Secretary of the Navy, which had never been countermanded or revoked.

After a few moments study, the Admiral said: "You did right, perhaps, and your government will sustain you as the case now stands; but don't you know, Commodore, that there is not an officer in the British Navy who would have dared to take the responsibility you have done? You doubtless had orders to take Monterey in case of war; but when you left Mazatlan there were only a few leading Mexicans and myself who knew of the existence of hostilities. "It is all over now," he continued, "but tell me, Commodore, since you are not a man to shrink from responsibility, what would you have done had there been, when you reached here, the flag of another nationality floating where yours now floats and that flag guarded by a ship of the line?"

"I would," said the Commodore, "have fired at least one shot at it and perhaps have gone to the bottom and left my government to settle the matter as it thought best." [Applause.]

What a spectacle for the British Admiral! Before him in the harbor two vessels of the American Navy, the *Cyane* and the *Levant*, captured both at once in a fair fight, by the *Constitution*, in the last war with Great Britain; the flag of the United States flying over the soil of California to his chagrin and disappointment; and the American Commodore, who, as sailing master of the frigate *United States*, had maneuvered that ship in the fight with the frigate *Macedonian* and captured her, now as the Commander of the American squadron, has again defeated Great Britain, and ready to fight and sink, if necessary, to hold the golden prize that was to be filched from us by the haughty, greedy and would-be-mistress of both land and sea.

The greatest little man that America has produced had won, and the tables to-day are turned; the United States, instead of being flanked on both sides by British territory, has performed that feat herself, and the American flag floats on both sides of British Columbia, on the Pacific, while the Hudson Bay Company repeats the words in Job: "And Satan answered the Lord, and said: 'Skin for skin, yea, all that a man hath will he give for his life.'" [Applause.]

The few American settlers in the northern valleys became alarmed at the threatened transfer of California to the British flag and the menacing attitude of the party in power in California, which threatened to drive them from the country, banded together for self-protection, and of necessity, rather than be disarmed and suffer confiscation of property and banishment, raised the standard of revolution, and proclaimed the "Bear Flag Republic," which was of but few days duration, but what they did was effectual and humane and they succeeded. [Applause.]

General M. G. Vallejo is but one of the very few men now living, who can boast of having lived under four distinct national governments, with their respective flags floating over him, without leaving his native State or having to be re-naturalized. [Laughter.]

On the 19th of July, 1846, these American settlers organized into a battalion numbering 150 men, clad in buckskin, armed with long Kentucky rifles, and equipped with powder-horns, bullet moulds and lead, mounted on horses, with the "Pathfinder" John C. Fremont in command, entered Monterey and formed a junction with the United States forces under Sloat. Some of them are with us here to day.

Commodore Stockton arrived to relieve the gallant Commander of the Pacific squadron, who was ordered to return home. His duty was performed. Stevenson's Regiment and a company of U. S. Artillery arrive to garrison the different ports. Kearney's column enters California from the southeast, and with Stockton's and Fremont's men, and with but little skirmishing and loss, the grand consolidated empire of the Pacific from the Gulf of Cortez on the south, to the straits of Juan de Fuca on the north, and from the Rocky Mountains to the ocean, is secured to the American Republic forever. [Applause.]

The unconquerable valor of the armies of Taylor and Scott, in the face of the most trememdous odds and without a single defeat, enabled our government, at the doors of the halls of the Montezumas, to dictate the conditions of peace. The treaty of Guadalupe Hidalgo, at Queretars, confirms the right of possession, and the Mexican Eagle, resting upon its thorny perch in the midst of a cactus desert, is left still to grapple with the serpent of discord, which, without imperilling her life, she, of herself, can neither destroy or release.

Great Britain struck at the United States with a Donnybrook club, too short to reach, from behind the Mexican shield, and falling upon a chapparal couch, got badly pricked for her pains. [Applause.]

Forty years have passed away and but a small remnant of those who achieved these momentous results survive; their services are forgotten, and ingrate demagogues in power regret that we still live.

In June, 1776, a committee of Congress, accompanied by General Washington, called at a small two-story tenement on Arch St., just below Third, in the city of Philadelphia, to see a lady, a Mrs. John Ross, who had married a nephew of Colonel George Ross, one of the signers of the Declaration of Independence, and engaged her to make a flag from a rough drawing, which, at her suggestion, was re-drawn by General Washington, in pencil in her back parlor, substituting the five-pointed stars for the six-pointed ones. The flag thus designed, and made by Mrs. Ross, was adopted by Congress and was the first star spangled banner which ever floated upon the breeze. On Saturday, the 15th of May, last while the Associated Veterans of the Mexican War, of San Francisco and Oakland, were burying Comrade Cummings, another old veteran comrade nearly 87 years old, who had long served his country and was one of the men, a quarter-gunner, who landed from the flags-hip *Savannah* to aid in hoisting the American flag under Commodore Sloat, the grandson of the woman who made the first American flag, George Ross, through the cold and intentional neglect of an ungrateful United States Senate, is left to die in the alms-house of San Francisco, and before his comrades could be informed of his death is buried in a pauper's grave.

The commerce of Massachusetts for a period of more than three-quarters of a century, thrived upon the trade of California; many of the people settled along these shores and intermarried with the first families of the coast; here was sent Thomas O. Larkin, the first U. S. Consul, who was a native of the "Old Bay State." Bancroft, the historian and Secretary of the Navy, who ordered the taking possession of California, is also a native of that commonwealth, but it is left for a degenerate son of Massachusetts, the dishonorable Mr. Hoar, to strike down every tottering war-worn veteran of the Mexican war in his old age, and consign him to a pauper's refuge and a pauper's grave. Born at Plymouth Rock, I have a right to denounce this false representative of the "Old Bay State." Twenty-six Legislatures by joint resolution have asked that a general pension bill be passed by Congress for the Veterans of the Mexican War, and when such bill after passing the lower House reaches the Senate it is met with defeat and hundreds of veterans over the country sink in despair to their graves.

When a nation commences to forget its heroes its decay has already begun. The Veterans of the Mexican War have made the United States government a pensioner upon their valor; the vast territory acquired and secured, with billions of treasure they have added to the national wealth, enabled it to maintain its credit amidst the throes of a mighty and unparalleled civil war.

When Spain invaded and conquered Mexico she entered with the sword and cross, plundered the people, and for nearly three centuries and a half ground them into the earth, and left them in blood and misery. When the Army and Navy of the United States invaded Mexico in defense of the national honor, they carried the sword, the olive branch and the purse, paid the full value for everything they took, and while they fought the Mexican troops, they successfully cultivated and won the confidence of the people; they retired with honor and without a single stain upon our national escutcheon. The Veterans of the Mexican War, before they will acknowledge themselves paupers, and as such, beg a pension from an ungrateful Senate, will dig their own graves and bury themselves beneath the soil they have conquered. [Applause.] We still have left our self-respect, our pride and our honor. The glorious record of our achievements in the past is secure. But a few years more and we shall have passed away, and ere the last roll is called and we are mustered out, let California, at least, gratify our vision by an act of justice and duty, which, for the long period of forty years, she has neglected.

The Retiring Board of 1856 placed Commodore Sloat on the reserved list, and on Aug. 6, 1866, he was promoted to the rank of Rear-Admiral on the retired list.

After the long service to his country of 67 years, Rear-Admiral Sloat died at his residence on Staten Island, New York, Nov. 28, 1867, at the age of 87 years, beloved by his family and his brother officers, who with his large circle of friends, honored and respected by them, laid him tenderly away to rest.

The California Pioneers, who had placed his name on their honorary roll, passed resolutions of sympathy and condolence with his family, expressing their respect and esteem of his many virtues, while still later they have placed the likeness of his features, cut in stone, in their magnificent building, the gift of James Lick, in the city of San Francisco.

Massachusetts has set up her monument at Plymouth Rock, where sleep the Pilgrim Fathers, to commemorate their indomitable courage and sterling virtues; and from Bunker Hill there rises a shaft pointing to heaven, where fell the heroes of the first great battle in the War of the Revolution. By the banks of the Potomac there stands an obelisk of unparalled height and beauty, the tribute of the nations of the earth, in honor of the Father of Our Country, the immortal Washington. Lincoln and Garfield are remembered in granite and marble and bronze, and the statues of hundreds of America's sons adorn the pantheon of the nation. At the entrance of the spacious harbor of New York there has been erected the grandest monument of art, the gift of the Republic of France (the home and resting place of Lafayette), the mammoth but graceful statue of "Liberty Enlightening the World." So here on this long-neglected spot, on the shore of the boundless western sea, faithfully guarded and kept for 20 years by a son of Massachusetts, Capt. Thomas G. Lambert, let a monument of the finest granite be erected, and on a pedestal of our richest gold-bearing quartz, a statue of bronze, thickly plated with gold, a true likeness of the gallant Admiral John Drake Sloat set up, and California pay that just tribute which is due from this Golden Empire of the Pacific to him who added honor, glory and renown to a long and illustrious life, to whose foresight, skill and daring, California's bright star now shines unequalled in the constellation of the American Union. [Applause].

But a few words more and I am done. Let this golden, blood-bought land, purchased with the valor and lives of the bravest hearts of the nation, which never knew defeat, glorified with the diadem and halo of American progress and civilization by our comrade Pioneers, who piloted the way for the swift-footed steeds, the iron cavalry of the plains, whose squadrons leap the mountains and charging in masses have driven the mustangs from the field, also drive from our shores this foul-breeding curse of Mongolian pollution which is poisoning our land with its deadly exhalations, and sweep from the face of the earth the vermin of the sandlot and this foreign invasion of anarchy and communism. [Applause.]

Then let the last roll-call be sounded at life's evening retreat; and as our eyes shall behold the sun in his crimson robes of splendor, in his glowing chariot of fire, with the drapery of his golden clouds gathered about him, and as he sinks beyond yon azure sea, photographing upon the skies in radiant colors our starry banner of the free, then, and then only, can we exclaim "that the Republic to us has not been ungrateful." [Long and continued applause.]

The following resolution was then offered by Hon. John M. Buffington, of Oakland, President of the Alameda and Contra Costa Pioneer Society, with a few well-timed remarks:

Resolved:—That a committee of 13 be appointed to take immediate steps for the organization of the Sloat Monument Association for the purpose of erecting a suitable monument in this place to the memory of the illustrious Rear-Admiral John Drake Sloat, which shall be a proper tribute expressive of the appreciation of his great patriotism and merits by the people of California.

The resolution was ably seconded by Dr. Washington Ayer, M. D. of San Francisco, and a member of the California Pioneer Society, who spoke as follows:

MR. PRESIDENT—In seconding the resolution, I desire to say, to-day we celebrate two of the most important events in the history of our republic—the Declaration of Independence and the acquisition of California to the territory of the United States, which forever fixed the boundaries of our country upon the shores of two great oceans.

The acquisition of this territory was the ahievement of nhe bold and heroic acts of the commander of the United States fleet of the Pacific, who raised the stars and stripes where we now stand, and issued his proclamation on the memorable 7th day of July, 1846.

A little more than a decade had passed from that event, and while the echo of the salute was yet reverberating among the hills—following the laws of evolution to a higher civilization,—forces were operating which made war between the North and South inevitable and it came, in all its thundering majesty, gloom and fury, upon us.

It then seemed most providential that this newly acquired country had become a "fixed star" in the sisterhood of States, and was loyal to the Union. Then the mountains and ravines of California gave their gold to assist in carrying the war to a successful termination in the interest of Republican liberty and universal freedom.

In the presence of these facts the historic old town of Monterey should feel a special pride in this celebration to-day, and in view of these facts, also, this is a suitable occasion to inaugurate a movement to perpetuate in granite and in bronze the name and memory of the valiant Commodore John Drake Sloat, and the voice cannot be better employed than to say "aye" to the resolution in such an earnest manner that it shall cause the sound to echo from the Pacific to the Atlantic shore until the sentiment shall find response in every true American heart.

The resolution was unanimously adopted, and the following committee appointed:

Hon. John M. Buffington, Ex-Gov. Geo. C. Perkins and Major Edwin A. Sherman, of Oakland; D. J. Staples, Joseph G. Eastland and Wm. F. Swasey, of the California Pioneer Society of San Francisco; Captain Thomas J. Knipe, Captain Wm. L. Duncan and Hon. W. C. Burnett, of the Associated Veterans of the Mexican War; Hon. Wm. Boggs, of Napa; Hon. Jesse D. Carr, Captain Thomas G. Lambert and Francis Doud, of Monterey county.

The monument is to be of bronze and granite and erected on the spot where Commodore Sloat stood when he ordered up the flag.

Captain Thomas G. Lambert, President of the Day, for Monterey, then introduced Mrs. Eliza A. Pittsinger, the Poet of the Day, who then recited the following original poem in a fervent and eloquent manner:

Raising the Flag at Monterey.

By Eliza A. Pittsinger.

[The following poem was written expressly for the 40th Anniversary of the raising of the American Flag in Monterey on July 7th, 1846; and was delivered by its author at the interesting exercises held in Monterey, July 5, 1886.]

Why do we meet, my friends, to-day?
What records have led on the way?
What scenes are past, what themes attend,
And with historic grandeur blend?
A single word shall fan the fire,
And each heroic thought inspire.

That word is progress, O, my friends,
And like a star its light attends
The birth of Empires, and the wane
Of Kingdoms that shall live again.

And as we meet this glorious morn
How many a loyal thought is born!
How many a fancy takes its flight
O'er valley, plain and mountain height!
We lift the veil, we follow fast
The scenes and records of the past—
O, how the hazy solitude
Once whispered to those races crude
Long ere the padre's cross was seen
Amid the blooming Summer sheen.

The years sped on; the Golden clime
Awaited something more sublime
Than that which fashioned its abode
In ancient faith or rustic code.

O, Eden Land, thou wert so fair,
In thy young life so sweet and rare,
That distant nations, as a prize,
Once sought thee for their Paradise;
And 'mid contention, strife and moil
They bore their banners to thy soil!

The prize was here; and regal Spain
Strove hard, and did that prize obtain,
And yet her power was weak to hold
This clime of sunshine, bloom and gold—
Nor even Cortez' mighty arm
Was strong enough to break the charm;
For Freedom's God had wisely planned
The conquest of the Golden Land.

'Twas eighteen hundred twenty-five
When Mexico threw off her chains;
The love of conquest was alive,
And flowed through her ambitious veins,
Whereby she turned her anxious eyes
Upon this charmed paradise;
And Echuadra sped his way
Up to the famous Monterey.

And thus through all the ebb and flow
Of rival nations in the strife,
The dusty, sun-browned Mexico,
With new impulsions, hope and life,
Unfurled her flag and for a time
Obtained possession of the clime.

It could not last; 'twas only manned
With forces of a transient band—
The prize was here; each loyal son
Of Freedom knew it must be won—
And like the gods of Homer sped
Her heroes to the front and head;
O, like a storm-cloud in its flight
They came in all their zeal and might,
For they had sworn to win the day,
And raise our flag in Monterey!

Brave, gallant Sloat was on the ground,
With Freedom's son's encompassed round;
Their brows were gleaming in the light
Of visions that were new and bright,
Whose glory crowned that blessed time

With joy and victory sublime;
And O, a shout went up that day
That shook the hills of Monterey.

These gallant sons of Freedom brought
The golden germs of mighty thought—
'Twas here upon the Western soil,
'Mid hope and energy and toil,
That germ was planted; 'twas a flame
Of heavenly glory that became
A star, whose light was like the sun,
That blazed along the horizon.

O, Golden Land, your temples rise,
Their spires are pointing to the skies;
Your fruits the wonder of the world,
And in your sunlight is impearled
A crystal radiance that glows
And into mighty thought it flows!

That radiance warms my soul to-day,
'Tis like the blessed beams of May;
Upon the way-worn "Veterans
Of Mexico" its light expands—
And how it blesses, warms and cheers
The pathway of our "Pioneers!"
Beneath it how our banners gleam,
Beneath it what a mighty stream
Of speech and music now display
The zeal and glory of the day!

O, Freemen wave your banners grand
In all their splendor through the land!
And down the valleys, as we sing,
Let mighty hallelujahs ring!
For forty years ago to-day
The seed was sown in Monterey;
The harvest time begins to dawn,
We're marching on, we're marching on.

We're marching on, the day is ours;
The years have brought their heavenly powers,
And we have only to behold
To claim the prize and win the gold;
The vines are springing at our feet,
We've but to pluck the fruit and eat.

'Tis here, 'tis here, the promised land,
'Tis here in freedom's cause we stand,
With souls aflame with songs of praise
To gladden all the summer days—
O, Monterey, upon thy sand
Are footprints wonderful and grand!

It is a consecrated spot,
And pregnant with the germs of thought;
The eagle from her glorious height
Sped downward to these valleys bright,
And through the weary march of time
Her fiery eyes were on the clime;
A watcher perched upon the wall,
She listened to each doubtful call,
And only yielded up her post
To the true guardians of the coast.

And thus it was; for this we meet
To make our liberties complete;
For this we sing our songs of praise,
For this we speed with golden lays,
And on this Independence Day
We wave our flags at Monterey!

Fair Monterey, in future time
Thy name shall ring in classic rhyme!
'Tis here the pilgrim shall be led,
'Tis here his fancy shall be fed,
O, here upon this charmed ground
The sacred relics shall be found;
And in this Mecca of the West
At last his weary feet shall rest.

"America" was then played by the band and sung by the entire audience.

The benediction was then pronounced by Rev. H. S. Snodgrass, the Chaplain of Monterey.

The audience then dispersed after standing three hours and a half on their feet, listening with intense interest, to hear and to see all that was said and done; and a large portion then went to Colton Hall [now a public school house] to listen to the Hon. Elisha O. Crosby, one of the members of the first Constitutional Convention, which met at Monterey in September, 1849, and framed the first Constitution of California.

The following report is here given:

The Fathers of the State.

After A Lapse of 87 Years They Reassemble at the Ancient Capital.

On Monday, July 5th, several of the surviving members of the first Constitutional Convention of California revisited the old battered town of Monterey, where their first deliberation was had 37 years ago, and together with some friends repaired to Colton Hall, the building in which the Convention was held and which is still in a good state of preservation, and there held ceremonies appropriate to the place and occasion. Hon. E O. Crosby, of this city, standing on the spot occupied by him as a member of the Convention, delivered the following reminiscent remarks:

"The establishment of civil government in California was accomplished during scenes of the wildest excitement, unequalled in the annals of time. The sails of the Argonauts whitened the ocean along our borders and poured their over-crowded decks, by thousands and tens of thousands, upon our shores. The lengthened emigrant train, like an invading army, came teeming with its mighty hosts of stalwart men to swell the excited throng; and all engaged in the desperate struggle for rapid fortune in the golden sands of California. Each man came armed with deadly weapons, to enforce the will of its owner, the only law that was recognized in the land.

It has been well said that the state of things realized the anarchist's ideal—no government and no laws. Life was cheap and property insecure, and the preservation of the one and the possession of the other was held at the mercy of the death-dealing revolver, held in the hands of passion, which too often dealt causeless desolation.

The organization of a government and the enforcement of equal laws in California was a fight for the survival of the fittest, with order and safety, or anarchy and bloodshed. It was no holiday task. We met here now nearly 37 years ago to make a constitution for the government of a new state, defining its boundaries and directing the enactment of a system of laws to control the passion of this great concourse, of a varied population gathered from every nation and clime, and to bring order out of chaos, give security to life and protection to property; and all this without the least authority from Congress representing the nation that had so lately acquired this vast region from Mexico.

Responsive to the call of that brave and patriotic hero, General Bennett Riley, 48 delegates from all parts of the country constituting the present State, met here in Colton Hall in this town of Monterey, and with brief prelude and shorter speeches set ourselves at work.

The first question to settle was, shall we organize a Territorial form of government? Was answered, "No!" emphatically "No!" Shall we organize a State? "Yes!" And a state fully organized and perfect; with freedom for every human being within its borders. Speaking of borders, reminds me that we discussed pretty fully the lay of the land, and from the best information we could gather, we took all the country we knew to be worth anything, and all that we had an idea would ever prove to be of value. Time has demonstrated that we guessed wisely and right. We took to the crest of the Sierras and left the rest to Nevada, Salt Lake and the Mormons.

We took the best from all the constitutions of the different states; and if wisdom we displayed, it was in selecting the best; modifying and adjusting these provisions to the necessities of the new state.

Our wives and sweethearts were in the other states and in foreign lands. San Francisco had grown a city of 25,000 men, while perchance a single female now and then appeared upon the street and whose presence caused a stampede to the doors and windows to see her vanish around the next corner.

With the exception of my friend General Vallejo, and a few other thrice-blessed residents of California, we were without a house and that divinity, a wife. We all realized the propriety, in fact the necessity, of encouraging by every means our wives and loved ones to follow us to California. Texas, then like California, much in want of female population, had four years before, in adopting a constitution, sounded the tocsin of freedom to woman by giving her an equal estate and right of separate property with the man and husband, and an equal share of community property, with liberal homestead and exemption laws for her protection.

It is among the most pleasing remembrance of these latter days of life that I had a share and did what I could to secure to the wives and daughters of California this inestimable boon, and thereby enfranchising her from the old English law brought to this country by our fathers, that merged the wife in the husband—her name, fortune and control, to the right of chastisement with the rod. Mindful of the rising generation (and with great hopes for their abundant increase when our wives and sweethearts arrived on these Pacific shores) we directed that the 500,000 acres of land given to all new states on their admission by the general government should be dedicated forever to educational purposes. How well or otherwise the various Legislatures have administered this trust I do not know.

And so I might extend this review of what we did, and why and how it was done, but time and weariness admonish me to close. It is with grateful recollection of the good people of Monterey. I thank them for the hospitality we received and the entertainment they extended to the delegates of the first Constitutional Convention.

How with willing hands and cheerful smiles they prepared the tortilla and toothsome tomales, and dulces and frescors, to stay the hungry delegates, and how the fair daughters with winsome way joined the younger members in the Spanish dance.

It was not a melancholy body of men, by any means, that first Convention, but earnest workers who meant business first, and social happiness when their work was done.

Well do I remember the last day of our sitting, when amid the cannon roar from the old fort on the hill we signed our names, and General Riley, with streaming eyes, declared it a happier day for him than when his soldiers cheered him on the heights of Contreras over their victory won.

And then hand clasped hand as we separated, many of us for the last time on earth. Our Secretary survives to call the roll, but how few there be to answer. A few more years and all will have passed away. Our work survived, and since the day we separated here, a generation has grown to manhood, to reap the benefits and blessings of our labor. May its influence continue for all time to come.

In the name of those departed, and the little band that yet remains, I ask those who take our places to preserve the good we did in this first step to found a constitutional government in California.

The festivities at Monterey closed with a grand ball given by Monterey Parlor of the Native Sons of the Golden West, in Laporte's Hall, which had been beautifully decorated for the occasion. At the Hotel Del Monte a fine display of fire-works was given in the evening and at Pacific Grove a torchlight procession, fireworks and various exercises of a patriotic order were held.

The celebration in every respect was worthy of the historic occasion commemorated, and, in the language of the Monterey *Argus*, "The Veterans of the Mexican War are entitled to the credit of getting up this celebration, and to, more than any one else, the Chairman of their Committee, Major Edwin A. Sherman, whose energy and work insured its success."

LETTERS OF ACCEPTANCE.

LETTERS OF CITIZENS' COMMITTEE, OF MONTEREY.

MONTEREY, May 18, 1886.

Major E. A. Sherman—DEAR SIR: I desire to inform you that a meeting of the citizens of Monterey took place yesterday, at which a committee was appointed to confer with the Committee of the Veterans of the Mexican War, in regard to formulating a programme for a fitting celebration on July 5th.

Also, that the Committee are now ready and anxious to proceed in the matter and only await instructions from your Committee as to the extent and manner in which they will be called upon to co-operate.

It was also the unanimous wish that you pay Monterey a visit at the very earliest date. Very respectfully yours, GEO. F. CLEVINGER,
Sec'y Citizens' Meeting.

MONTEREY, June 8, 1886.

Major E. A. Sherman—DEAR SIR: The citizens held another meeting here last evening at which a number of committees were appointed—on decoration, finance singing, etc.

Captain Thomas G. Lambert was elected President of the Day to deliver the address of welcome. Dr. A. Westfall was elected Grand Marshal and Rev. H. S. Snodgrass, Chaplain.

A Committee consisting of the old Veterans and Pioneers, living in the vicinity, will act as a Reception Committee.

I think we will be able to get to work in earnest now and carry out our part of the programme successfully. Very truly yours,
GEO. F. CLEVINGER,

MONTEREY, June 17, 1886.

Major E. A. Sherman—DEAR SIR: The Citizens' Committee met yesterday at Captain Lambert's and appointed the following Vice-Presidents: E. T. M. Simmons, Hotel Del Monte; T. J. Fields, David Jacks, Felipe Gomez, of Monterey; L. D. Stone, Pacific Grove; J. T. Porter, Pajaro; Jesse D. Carr and Wm. Vanderhurst, Salinas City; J. A. Goldwater, Soledad; Chas. B. Finch, Carmel.

W. R. Merritt, of Monterey Parlor, No. 75, will read the Declaration of Independence.

We have not as yet received the names of those constituting the choir. Very truly
GEO. F. CLEVINGER.

[Letter of acceptance from the California Pioneer Society of San Francisco.]

THE SOCIETY OF CALIFORNIA PIONEERS,
No. 5 Pioneer Place,
SAN FRANCISCO, CAL., June 19, 1886.

Major Edwin A. Sherman, Chairman of Committee of Associated Veterans of the Mexican War—DEAR SIR: Your courteous invitation of May 17th, for our Society to participate with your Association in celebrating the 110th anniversary of American Independence and the

40th anniversary of taking possession of California by Commodore Sloat, was duly received. In reply, I have been instructed to return to you, and through you, to your Association, the thanks of our Society, and that it affords our members much gratification to accept your invitation to participate in the celebration at Monterey.

Our President has appointed A. C. Taylor, Dr. J. C. Tucker, W. F. Swasey, T. J. Knipe and the undersigned as a Committee of Arrangements to act with yours and other committees in carrying out the programme of the day.

Enclosed please find list of President, ex-Presidents, ex-Vice Presidents, officers, etc., as per your request. Yours very respectfully,

H. T. GRAVES, Secretary.

[Letter of acceptance of the Territorial Pioneers.]

HALL OF TERRITORIAL PIONEERS OF CAL.
838 Market St.
SAN FRANCISCO, June 9, 1886.

Major Edwin A. Sherman, Chairman Veterans of the Mexican War—DEAR SIR: Your communication bearing date May 17th was received, but as there has been no meeting until last evening answer was deferred.

I have been authorized to accept your kind invitation to join you in celebrating the raising of the American flag at Monterey. The event will call up memories of the past and will have a tendency to endear us to our Golden State, which has been won by your valor. Yours fraternally, ROBERT DINSMORE,

Pres. Territorial Pioneers of Cal.

[Letter of acceptance from the California Pioneer Society of Alameda, Contra Costa and adjoining counties.]

OAKLAND, Wednesday, May 19, 1886.

To Major Edwin A. Sherman, Chairman of the Committee of Arrangements of the Associated Veterans of the Mexican War—DEAR SIR: The California Pioneer Society of Alameda, Contra Costa and adjoining counties has by unanimous vote accepted your kind and courteous invitation to unite in making preparations for the celebration at Monterey on July 5th, of the 110th anniversary of American Independence, and the 40th anniversary of the raising of the American flag at that place by Commodore Sloat, of the U. S. Navy, in July, 1846.

As this Society admits all honorably discharged Veterans of the Mexican War (who are respectable citizens), as members of the first class who served on Mexican soil, we take pleasure in recognizing their patriotism and valor in securing this inestimable prize of California without which there would now be no such institutions as ours to be known as Pioneers.

We have, therefore, appointed as a Committee to act in conjunction with yours, Major E. A. Sherman (our Secretary), Major John L. Bromley and James R. Capell, who are Veterans of the Mexican War.

Thanking you for the invitation, which was unanimously accepted, I have the honor to be

Respectfully yours, JOHN M. BUFFINGTON,
President of the California Pioneer Society of Alameda and Contra Costa Counties.

[Letter from the Santa Cruz Pioneer Association.]

SANTA CRUZ, CAL., June 25, 1886.

Edwin A. Sherman, Esq., Chairman of Committee of Arrangements Veterans of the Mexican War—DEAR SIR: Acknowledging the receipt of the kind invitation extended by your Committee to the Santa Cruz Pioneer Association to participate in the celebration of the 110th anniversary of American Independence and the 40th anniversary of the taking possession of California, and also acknowledging thankfully the kindness of your Committee in inviting me to act as one of the Vice Presidents of the Day, I beg leave to say that the invitation to participate will be presented to Santa Cruz Pioneers at a meeting to be held next Saturday, the 26th inst. It is more than probable that our Society will vote to participate, in which case I shall be pleased to act as one of the Vice Presidents.

Respectfully yours, F. A. HIHN, Pres.

[Letter of acceptance from the Grand Parlor of the Native Sons of the Golden West.]

GRAND PARLOR, N. S. G. W.
Office of Grand President,
PHELAN'S BUILDING, S. F., May 21, 1886.

To Major Edwin A. Sherman, Chairman Veterans Mexican War—DEAR SIR: Your communication of May 17th was duly received and its contents noted. In compliance with your request I have appointed the following named as said Committee: M. A. Dorn, Frank McNally, J. A. Steinbach. Henry Lunstedt and E. F. Dentler.

The above named are Grand officers and all are residents of San Francisco. I desire to say that you will have our earnest and hearty cooperation; that we are with you and will do all in our power to aid you.

I assure you that we appreciate the grandeur and importance of the event, and sincerely hope that your fondest expectations may be fully realized upon the occasion and that it will redound to the credit of your honored Association and the Native Sons of the Golden West.

Sincerely thanking you for the kind consideration you have paid us and awaiting further instructions I remain Respectfully yours,

CHAS. W. DECKER,
Grand President, N. S. G. W.

[Letter from Monterey Parlor, No. 75, of the Native Sons of the Golden West.]

MONTEREY, May 18, 1886.

Major E. A. Sherman—DEAR SIR: As chairman of the committee, I desire to inform you that at a special meeting of Monterey Parlor, No. 75, of the Native Sons of the Golden West, held on Monday evening, the 17th inst., a committee was appointed to confer with the Veterans and other committees and assist in getting up and carrying out a suitable programme on the 5th of July (for the 7th), the 40th anniversary of the raising of the American flag at Monterey, etc.

Committee: G. F. Clevinger, A. A. Osio, R. R. Duckworth, Robert McKee, A. Gunzendorfer, A. Sanchez and Byron Ashley.

Respectfully yours, GEO. F. CLEVINGER.

[Letter of Acceptance from Hon. Wm. M. Boggs, of Napa City, Cal.]

NAPA, June 13, 1886.

Messrs. E. A. Sherman, A. J. Coffee, A. Andrus, J. W. McKenzie and Wm. L. Duncan, Com. of Arrangements—GENTLEMEN: I accept with pleasure your polite invitatoin of the 11th inst. to participate in the 40th anniversary of the raising of the American flag at Monterey in July, 1846, and I accept with pleasure the honor to act as one of the Vice Presidents on that occasion. The fact that I was in Monterey in 1846, as a volunteer officer of a battalion of mounted rifles in the Mexican war, under the command of Capt. W. A. T. Madox, U. S. M. Corps, and received my honorable discharge there, makes the occasion doubly interesting to me.

I have caused to be published in the Napa county papers the cordial invitation of your honorable committee to all old Veterans of the Mexican War and Pioneers, of this section, to attend and witness an event that many of us will never witness again.

With the highest regards for the gentlemen who compose the Committee of Arrangements, I remain your most obedient servant,

WM. M. BOGGS,

Sergeant Major of California Battalion Mounted Rifles, at Monterey in 1846.

Letter of Invitation.

HEADQUARTERS OF THE COMMITTEE OF
ARRANGEMENTS OF THE ASSOCIATED
VETERANS OF THE MEXICAN WAR.
SAN FRANCISCO, May 28, 1886.

Gen. M. G. Vallejo, Sonoma, Cal.—DEAR SIR: You are cordially invited as an American citizen and one of the members of the first Constitutional Convention which met at Monterey, Sept. 1, 1849, to frame a Constitution for the State of California, to be present at the celebration of American Independence and also of the 40th anniversary of the raising of the American flag at Monterey, by Commodore Sloat, of the United States Navy, July 7, 1846, the joint celebration of which will take place on Monday, July 5, 1886, at Monterey; and in company with the ex-Governors and other distinguished citizens to serve as one of the Vice Presidents on that occasion.

It is a tender and delicate matter, we are aware, in extending an invitation of this nature to one, a native of California, born a subject of Spain, and who, in the struggle for Mexican Independence, and the founding of our sister Republic, rendered such valuable and distinguished services in throwing off the yoke of the mother country, and who, with a faithful devotion to his native province, performed those duties which belong to the true patriot soldier and statesman, worthy of all emulation, and which are preserved in the archives of the history of California.

The celebration which we propose to have at Monterey is in no wise, whatever, for the purpose of self-glorification on the part of the Veterans of the Mexican War, or to boast of deeds done on the battle-field, or in the least manner, whatever, to give offense to the latent spirit of devotion to the Mexican Republic, which may still linger in the breast of the native Californian, who was once a citizen of Mexico. We are all Californians, pioneers and American citizens, one nation, one republic, with one flag and one common destiny.

Spain, Mexico and the United States of America have in turn planted the seeds and institutions of their respective civilization in California, and the children which have sprung from our loins have turned the currents of life into one common channel, and a new people has been generated and grown up from the soil of California, which will soon take the places of those who have founded and developed our "Golden State."

Therefore to commemorate the three epochs of history in which we have all been participants, to a greater or less extent, we desire to do honor to all; and in this spirit extend this invitation to you to unite with us in this celebration whither we go and shall be received, not as hostile invaders, but as friendly guests.

We also desire that you should raise the flag of Spain, which will be honored by a national salute; then that you shall raise the flag of Mexico, which will also be honored by a national salute and the national hymn of Mexico played by the band; after which the American flag will be raised by another person, a Government officer, a national salute will be fired, the "Star Spangled Banner" will be played by the band and sung by the entire audience, to be followed by the reading of the Declaration of Independence, oration, poem, music, etc., in the whole of which nothing will be said or sung at which any native Californian of Spanish or Mexican blood in any degree can reasonably take exception.

The Governor of the State will preside on that occasion; and among the Vice Presidents will be your fellow-members of the Constitutional Convention, who shared with you in the labor of giving to the people of California its first organic law and bill of rights, under which we were admitted as a sovereign State and an integral part of the American Union, which can never be severed from it.

Trusting to receive your letter of acceptance at the earliest date and with a high regard for the distinguished life-long service you have rendered to the land of your birth as a soldier and statesman, our adopted home, and a heritage we shall leave in common to our children, the golden State of California, we have the honor to be respectfully your obedient servants.

(Signed) MAJOR EDWIN A. SHERMAN,
Chairman.

COL. A. ANDREWS,
COL. A. J. COFFEE,
COL. P. W. MCKENZIE,
CAPT. WM. L. DUNCAN,
Committee of Arrangements.

General Vallejo's Reply.

"LACHRYMA MONTIS,"
SONOMA VALLEY, May 31, 1886.

Major Edwin A. Sherman, Chairman Committee of Arrangements, Associated Veterans of the Mexican War—DEAR SIR: Your favor of the 28th inst., in which you invite me to attend and act as one of the Vice Presidents in the celebration of American Independence and also the 40th anniversary of the raising of the American flag at Monterey, was duly received.

In reply, I will say that I most cordially accept the kind invitation with which you have honored me. I will be in Monterey on the 3d or 4th of July, as, according to your letter, the celebration will be held on the 5th of the same month. Hoping this will meet with your approval, I remain, your most obedient,

GEN. M. G. VALLEJO.

[Reply from Hon. Joseph Aram, Delegate to first Constitutional Convention.]

SAN JOSE, June 5, 1886.

Edwin A. Sherman, Esq., Chairman of Committee of Arrangements—DEAR SIR: Your favor came duly to hand, and in reply will say that if possible will endeavor to be in Monterey on July 5th.

It certainly will be very gratifying to meet so many of the old comrades and associates.

Very respectfully yours, JOSEPH ARAM.

[Reply from Hon. E. O. Crosby, Delegate to first Constitutional Convention.]

ALAMEDA, June 4, 1886.

Edwin A. Sherman, Esq., Chairman of *Committee of Arrangements* —DEAR SIR: I have the honor to be in receipt of your letter of the 29th ult., in which you invite me to be present and serve as one of the Vice Presidents, at the celebration of the 110th anniversary of American Independence and the 40th anniversary of the raising of the U. S. flag at Monterey by Commodore Sloat in 1846, the celebration to be held at Monterey, July 5, 1886.

I thank you for the invitation, and, should my health permit, it will give me great pleasure to be present and participate in the celebration. It will afford me additional interest to visit Monterey again, as I have not been there since October, 1848, at the time the first Constitutional Convention adjourned, after framing the first organic law for this State. I have the honor to be, very truly yours E. O. CROSBY.

[Letter of acceptance from Hon. S. O. Houghton, ex-member of Congress, a Veteran of the Mexican War.]

SAN JOSE, June 28, 1886.

Edwin A. Sherman. Esq,, Chairman Committee of Arrangements—DEAR SIR: Yours of the 25th inst. has been received. Please accept my thanks for the kind invitation of your Committee to attend and participate in the celebration at Monterey on the 5th prox. I will attend and serve as one of the Vice-Presidents, and a number of Veterans from here will also attend.

Yours truly, S. O. HOUGHTON.

[Letter from Hon. Wm. G. Marcy, Secretary of the first Constitutional Convention which met at Monterey, Sept. 1, 1849.]

ALAMEDA, June 28, 1886.

Edwin A. Sherman, Esq., Chairman of Committee of Arrangements—DEAR SIR: I have just received your letter of the 26th inst., inviting me to attend, as one of the Vice-Presidents of the Day, at the joint celebration at Monterey, of the 110th anniversary of American Independence and the 40th anniversary of the raising of the American flag at that place, in 1846, by Commodore Sloat of the United States Navy.

It would afford me much pleasure and great satisfaction to be present and unite with my old friends and others in the celebration; but I regret that other engagements will prevent my doing so.

Wishing you all the enjoyment that you may reasonably look forward to on such an auspicious occasion, I am, very respectfully,

W. G. MARCY.

[Letter from Rev. S. H. Willey, Chaplain of the first Constitutional Convention at Monterey.]

NO. 12 BEAVER STREET,
SAN FRANCISCO, June 29, 1886.

E. A. Sherman, Chairman— DEAR SIR: Your letter informing me of my selection as one of the Vice Presidents of the celebration at Monterey on next 4th of July, is at hand, forwarded to me here. I heartily acknowledge the compliment of that appointment, but beg leave to say that I cannot be present on that occasion

But it is for no lack of interest in it. Monterey was my first home in California. There I was married and there my eldest son was born.

Then I counted among my friends David Spence, Thomas O. Larkin, Captain Cooper, Mr. Abriego, Mr. Hartnell and many others who witnessed the raising of our flag in 1846.

All that pertains to that occurrence and what followed became very familiar to me. I know well that this occasion, commemorative of that decisive day, will be a worthy and memorable one. Yours very truly, S. H. WILLEY.

[Reply from Hon. Elam Brown, Delegate to first Constitutional Convention.]

MARTINEZ, CAL., June 30, 1886.

Edwin A. Sherman, Esq., Chairman of Committee of Arrangements—DEAR SIR: Yours of the 25th is at hand. I shall be pleased to comply with your invitation and will attend the celebration if possible. Very respectfully,

ELAM BROWN.

[Letter from Grover Cleveland, President of the United States.]

EXECUTIVE MANSION, WASHINGTON,
June 26, 1886.

Major Edwin A. Sherman, Chairman—DEAR SIR: The President is this day in receipt of your letter of the 22nd inst., extending the invitation of the Associated Veterans of the Mexican War to be present at their anniversary celebration on July 5th. at Monterey, and regrets that it is impracticable for him to attend.

Expressing his thanks for the courtesy of the invitation, I am very truly yours,

D. S. LAMONT, Private Secretary.

[Letter from Gen. Geo. Stoneman, Governor of the State of California.]

STATE OF CALIFORNIA, EXECUTIVE DEPT.
SACRAMENTO, June 10, 1886.

Major Edwin A. Sherman, Chairman Commit-

tee of Arrangements, Veterans of the Mexican War—DEAR SIR: The Governor, whilst highly appreciating the honor conferred upon him in tendering to him the office of President of the Day at your celebration, so pregnant with glorious memories, on the coming anniversary of American Independence, regrets to say that the pressure of his official duties debars him from accepting the same. He will, however, if at all possible, do himself the honor of attending the celebration and join his comrades of the Mexican war in their festivities at Monterey.

Very respectfully yours,
J. J. TOBIN, Private Secretary.

Desiring that the Governor of the State should represent California as the Chief Executive, and as the nominal President of the Day, a letter was sent to him informing him that his declination could not be accepted. He sent the following reply:

STATE OF CALIFORNIA, EXECUTIVE DEPT.
SACRAMENTO, June 21, 1886.

Edwin A. Sherman, Ch'm. Com. of Arrangements—DEAR SIR: In reply to your communication of the 14th inst., unavoidably delayed on account of the Governor's absence, I have the honor to inform you that the Governor accedes to your request to use his name as President of the Day at your celebration on the 5th prox. He says he will be with you in person if at all possible, although not wishing to preside. Very t uly yours

J. J. TOBIN, Private Sec'y.

[Letter of acceptance from ex-Gov. George C. Perkins.]

SAN FRANCISCO, June 6, 1886.

Major Edwin A. Sherman, Chairman Committee of Arrangements, Veterans of the Mexican War—DEAR SIR: Your letter of invitation to serve as one of the Vice-Presidents of the day of the celebration of the 110th anniversary of American Independence, and the 40th anniversary of the raising of the American flag by Commodore Sloat, of the United States Navy, at Monterey, in 1846., is received.

I gratefully accept the honor conferred and will be with you at Monterey on that glorious occasion, which is to commemorate one of the grandest events which have occurred in the history of our common country, the honor of which is due to the Veterans of the Mexican War, both living and dead, of the Army and Navy of the United States, who secured so magnificent a prize as the State of California and other territory, and preventing it from falling into the hands of a foreign European monarchial government, limiting the area of American freedom, which by their valor was forever secured—the richest portion of our American national domain.

Again thanking you for the honor conferred, I am respectfully yours, GEO. C. PERKINS.

[Reply of Ex-Gov. Low.]

SAN FRANCISCO, CAL., June 3, 1886.

Major Edwin A. Sherman, Chairman of Committee of Arrangements—DEAR SIR: I am in receipt of your communication inviting me to attend and serve as one of the Vice Presidents in Monterey, July 5th prox., for which I desire to say that, if the state of my health will permit, it will afford me much pleasure to meet with the members of your Society, on the occasion referred to. Very respectfully, your obedient servant, F. F. LOW.

[Letter from Major-General Oliver O. Howard, U. S. A.]

HEADQUARTERS DIVISION OF THE PACIFIC,
COMMANDING GENERAL'S OFFICE.
PRESIDIO OF SAN FRANCISCO, June 12. 1886.

Committee of Arrangements of the Veterans of the Mexican War—Your letter of June 11th is at hand. I thank you for the invitation extended to serve as one of the Vice Presidents at the celebration at Monterey; but official duties requiring my presence at the East will deprive me of the pleasure of being with you in person on that patriotic occasion; but I shall be present in spirit and heartily wish you every success.

I will send one Light Battery on its usual march so as to arrive at Monterey in time for the celebration of the 4th of July (this year on the 5th), and, as you suggest, it will be thoroughly practicable to have a salute fired from the reservation, as you desire.

The expedition would not have been undertaken except for the reason you specify. * * *

As to the salutes from other points they will be fired on that day from all the stations which you name.

I will consult with officers and send you the names of those who will be glad to participate in the ceremonies. Very truly yours,

OLIVER O. HOWARD,
Maj.-Gen., U. S. A.

[Letter of acceptance from Rear Admiral R. W. Shufeldt, U. S. N.]

BALDWIN HOTEL,
SAN FRANCISCO, June 28, 1886.

Major E. A. Sherman, Chairman of Committee of Arrangements of the Associated Veterans of the Mexican War—DEAR SIR: I accept with great pleasure your kind invitation to assist at the celebration of the interesting events referred to in your note just received, and if in my power will be present at the time and place mentioned. With great respect, your most obedient servant, R. W. SHUFELDT.

[Letter of acceptance from Commodore Geo. E. Belknap, U. S. Navy.]

COMMANDANT'S OFFICE,
UNITED STATES NAVY YARD.
MARE ISLAND, June 21, 1886.

Gentlemen: I have the honor to acknowledge the receipt of your kind invitation to take part with my staff, in the celebration of the 40th anniversary of the taking possession of California, and the raising of the American flag at Monterey, by Commodore Sloat of the United States Navy, and will, if possible, be glad to attend an occasion of such interest and import to the country and the naval service. Very respectfully, your obedient servant,

GEO. E. BELKNAP,
Commodore U. S. Navy and Commandant.

To Major Edwin A. Sherman, Chairman, and others of the Committee.

[Reply of Commander J. B. Coghlan, U. S. Navy.]

MARE ISLAND, CAL., June 1, 1886.

Major E. A. Sherman, Chairman—DEAR SIR: Yours of the 29th extending invitation to myself to hoist the U. S. flag at Monterey on July 5th next at the joint celebration, has been received; and in reply I have to state that I accept with the greatest pleasure. I will let you know in a day or two as to my ability to get the flags you request (Spanish and Mexican), but I think yes. I will try to see you in a day or two. Thanking you sincerely for the honor conferred, I am yours sincerely,

J. B. COGHLAN,
Com. U. S. N.

[Letter of acceptance from Captain C. L. Hooper, Commanding the United States Revenue cutter *Richard Rush.*)

U. S. STEAMER *Richard Rush*,
SAN FRANCISCO, June 1:, 1886.

Major Edwin A. Sherman, Chairman of Com. of Arrangements of Associated Veterans of the Mexican War—DEAR SIR: I have the honor to acknowledge the receipt of your communication of the 31st of May inviting myself and officers to join with the Associated Veterans of the Mexican War at Monterey on the 5th of July in celebrating the 110th anniversary of American Independence and the 40th anniversary of hoisting the American flag at Monterey.

Should nothing unforseen prevent it will give us great pleasure to join with you on that occasion. I have the honor to be, yours very truly,

C. L. HOOPER,
Captain U. S. R. M.

[Reply of Rev. J. O. Rayner, Chaplain, U. S. A.]

FT. ALCATRAZ, May 31, 1886.

Major E. A. Sherman—DEAR SIR: Your very kind note concerning the celebration at Monterey was received on Saturday. I thank you very much for it and for all your kindness to me. It will afford me much pleasure to comply with your invitation unless some very unlooked-for hindrance occurs. I should like very much to see you and learn something about the party who will go from San Francisco and when they will start, etc. I do not know if I can come to Oakland, and were I to come might not find you at home. Can you let me know where and when I may see you in the city, and gratify yours most truly and sincerely,

J. O. RAYNER.

[Letter of acceptance from Hon. John S. Hager, Collector of the Port of San Francisco.]

CUSTOM HOUSE, COLLECTOR'S OFFICE,
SAN FRANCISCO, June 9, 1886.

To the Committee of Arrangements of the Associated Veterans of the Mexican War—GENTLEMEN: I have to convey to you my acknowledgments and thanks for your kind invitation to attend at Monterey on Monday, July 5th, 1886, and act as one of the Vice Presidents of the celebration under the auspices of the Associated Veterans of the Mexican War, of the 110th anniversary of American Independence and the 40th anniversary of the taking possession of California and raising of the American flag by Commodore Sloat in 1846.

I accept the same with pleasure and unless something unforeseen should happen to prevent it, I will be personally present on the interesting occasion you have named.

I will duly consider and at an early date advise with the Department at Washington in regard to the old Custom House at Monterey and its condition to which you have called my attention. I am very respectfully

JOHN S. HAGER.

[Letter of regrets from Hon. Horace Davis, ex-member of Congress.]

SAN FRANCISCO, June 12, 1886.

Major Edwin A. Sherman, Chairman of Committe of Arrangements—DEAR SIR: Please accept my thanks for your kind invitation to attend the celebration at Monterey on July 5th.

It would be a great pleasure for me to attend; but I must deny myself the privilege as I shall be in the northern part of the State at that time, and unable to leave. Please present my regrets to the Committee, and believe me with greatest respect

Yours very truly, HORACE DAVIS.

[Letter of acceptance from Hon. W. J. Tinnin, Surveyor of the Port of San Francisco, and Grand Master of Masons of California.]

CUSTOM HOUSE, SURVEYOR'S OFFICE,
SAN FRANCISCO, June 14, 1886.

To the Committee of Arrangements of the Associated Veterans of the Mexican War—GENTLEMEN: Your communication of the 11th of June inviting me to act as one of the Vice-Presidents of the celebration at Monterey on July 5 h, is received.

I will be pleased to unite with you and act as such Vice-President on that day.

Thanking you for your kindness and personal appreciation I am very respectfully yours,

W. J. TINNIN.

[Letter from Hon. Chancellor Hartson.]

NAPA, June 26, 1886.

Major Edwin A. Sherman, Chairman—DEAR SIR: Your kind invitation for the 5th proximo is received, and I will be at Monterey if possible.

I shall be most happy to attend and thank you for the honor conferred.

Yours truly, C. HARTSON.

ROLL OF MEMBERS

— OF THE —

Associated Veterans of Mexican War.

PRESENT OFFICERS:

SAMUEL DEAL,
President.

W. C. BURNETT,
Vice-President.

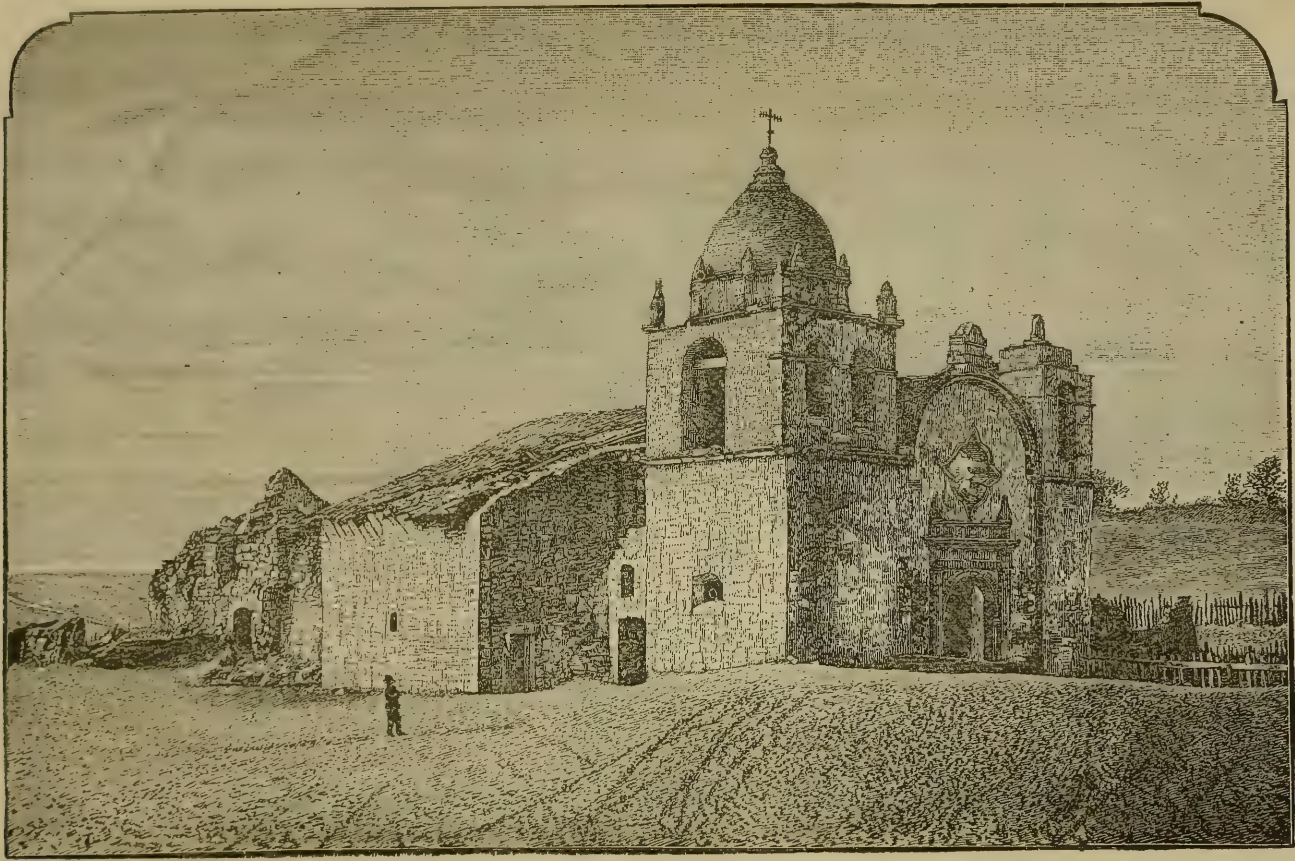
J. FRANCIS BEKEART,
Treasurer.

H. LOUIS VON GEISTEFIELD, Secretary.

A. Andrews.
J. M. Apgar.
R. F. Alexander.
J. D. Alexander.
James H. Adams.
J. F. Bekeart.
Wm. R. Briggs.
Geo. Bingham.
C. A. Bragdone.
Thos. Bigley.
I. M. Baker.
F. H. Brown.
W. C. Burnett.
A. M. Bowen.
Wm. Blanding, ex-Pres.
John Broderick.
Jos. Bannister.
D. B. Bush.
Peter Bush.
Theo. Cranz.
J. A. Cooper.
A. J. Coffee.
H. E. Chaquette.
W. F. Cooper.
R. Cleary.
J. Collins.
Michael Corcoran.
P. E. Connor.
John Carter.
E. Deaves.
H. W. Driver.
D. W. Douthitt.
S. Deal.
W. L. Duncan, ex-Pres.
J. Dixheimer.
F. Doud.
E. A. Engelberg.
J. B. Frisbie.
J. F. Feix.
R. J. Falls.
M. Folsom.
J. T. A. Gottschalk.
G. T. Graff.
T. Gibbons.
F. Galehouse.
R P Hammond, ex-Pres.
L. B. Hopkins, ex-Pres.
Wm. Hesse.
S. James.
Chas. Johnson.
J. M. Jackson.
T. J. Knipe, ex-Pres.
H. L. Knight.
Oscar Kirri.
C. M. Kopp.
J. Kane.
H. W. Kurlbaum.
Wm. G. Lee.
J. H. Lawrence.
R. W. Laine.
C. Lange.
S. J. Loop.
J. C. Layton.
F. McCourt.
J. B. Moore.
J. W. McKenzie.
A. McDonald.
J. Mooney.
C. Mullin.
J. Monro.
J. L. Martel.
D. P. Marshal.
E. C. Marshal.
P. McCann.
E. Muller.
F. Wm. Muhleg.
J. C. Parks.
W. A. Piper.
S. J. Richardson.
C. C. E. Russ.
A. H. Richardson.
G. Reynolds.
F. Rooney.
D. Scannell.
G. W. Stilwell.
E. A. Sherman.
J. W. Strickler.
R. B. Sanchez.
C. Speer.
W. F. Swasey.
M. Sullivan.
W. F. Spengler.
C. H. Seymour.
Samuel Smith.
A. Trautvetter.
T. W. Taliaferro.
H. L. Von Geistefield.
T. Vierra.
G. A. White.
J. C. Walker.
F. S. Ward.
C. Williams.
A. Young.

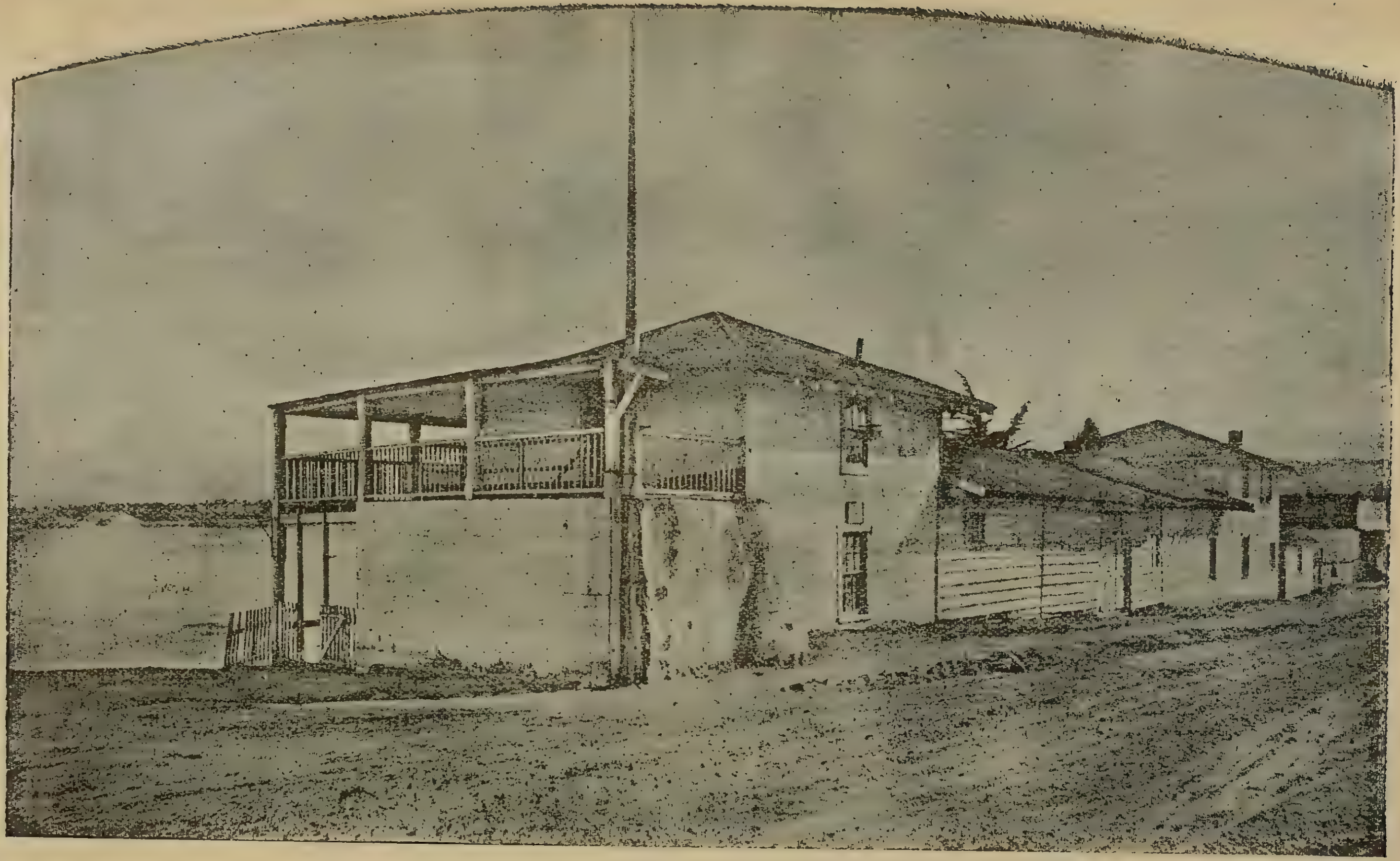
HONORARY MEMBERS.

Gen. W. T. Sherman.
Gen. H. Brooks.
Col. Geo. P. Andrews.
Gen. Geo. Stoneman.
Col. Phil. A. Roach.
Gen. W. S. Rosecrans.
Rev. W. H. Platt.
Gen. John Pope.
Jos. G. Eastland.
Gen. James W. Denver.



THE OLD SAN CARLOS OR CARMEL MISSION, NEAR MONTEREY, CAL.

A very satisfactory view of the San Carlos or Carmel Mission, near Monterey, to which reference is frequently made in the history of early California, is presented on this page. This Mission was founded on the 3d day of June, 1770. Among the Church buildings erected in upper California by the Missionary Fathers, that of San Carlos was one of the best in style and material. In the churchyard of the Misssion lie the remains of fifteen Governors of this Province and State.



THE OLD CUSTOM-HOUSE AT MONTEREY—STREET VIEW.

The view above given shows the in-shore side of the old Custom-House and the piazza where the speakers' stand was erected on the occasion of the recent celebration. Another view of the stand showing the concourse of people in attendance (July 5, 1886), is given on the 2d page of cover. The speakers' stand at the Custom-House was an object of beauty, being profusely decorated with flowers, evergreens and bunting, the coats-of-arms of the U. S., Spain and Mexico, and the dates 1776, 1846 and 1886,

THE TRUTH

ABOUT

Lower California.

FORFEITURE

Of the Contract made by and between the Mexican Government and the
"Mexican International Company of Colonization,"
Demonstrated by the Official Report of

M. SANCHEZ FACIO, C. E.

Special Inspector for Lower California, appointed by the
Mexican Government.

FRAUDS

Committed by the "Mexican International Company," under the Protection
and Sanction of the present Administration of Mexico.

ILLUSTRATED WITH TWO COMPLETE MAPS.

PRICE, FIFTY CENTS.

San Francisco, Cal.
1889.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

PREFACE

The indignation produced in Mexico by the accounts which commenced to circulate a little over a year ago, touching the abuses committed by the Mexican International Company in the application of the contract for the surveying and colonizing of Lower California, which contract it had obtained from the Government of Mexico, caused the latter to appoint an Inspector to investigate the facts as they had occurred, and I was appointed to undertake the commission. Nor am I sorry to have accepted it, much less to have fulfilled in the manner already known to the public; but as certain circumstances which accompanied and followed the execution of this duty, have given rise to violent discussions, in which, as is natural, the Government and the Company lay the blame of their own fault upon me, I am compelled to give an explanation justifying my conduct, through this pamphlet.

The determination that I have formed to live far from my own country for an indefinite period, is a guarantee that it is no sentiment of fear or of hope which influences my present opinions; and I have the right to hope that full belief will be given to me when I state that my purpose on accepting the delicate commission with which my Government honored me, was to defend the interests of my country above all, without damaging, if it were possible, those represented by the International Company.

If the result has not been as harmonious as I desired, the fault has not been with me, but rather with the International Company, which, instead of smoothing the way to a termination decorous to all, and accepting the advice, which upon my arrival at the colonies I offered to its agent or representative, of declaring loyally and frankly its true position to the Government and soliciting the reform of its contract in order to quietly remedy the harm done, it persisted in its first course, manifesting towards my own person an impertinent attitude of protection, tutelage and threat, which is the same conduct it observes and has observed towards the employees of the Government of Mexico, who through their duty are compelled to be linked to its acts.

The truth of the facts given in my report is gathered from simply reading the same, for which reason I publish it at the end of this pamphlet. Each one of the asseverations is supported by vouchers, the copies of which I remitted to Mexico, and of which some of the most interesting have remained unpublished. The proof that these statements are irrefutable, is that the Company took four months to furnish me with the data whence they were taken, and that the Government of Mexico, champion of the Company as the latter itself proclaims, delayed in its turn the publication of said report four months and a half, in spite of the continuous clamor of the press anxious to know the contents. Among the charges directed against myself, one of the principal is, that I overstepped the instructions which I received to inspect the colonies: I insert my instructions textually, as well as the contract and the laws, references to which are essential for the full understanding.

The substance of these documents being known, it will be understood that my report could not have been made out in any form different to that which it bears. The impartiality which should govern documents of this kind, has been strictly observed, and the apparent severity which may be remarked therein is but the natural and justifiable defense to which I had to resort in order to repulse the machinations of the Company, which endeavored, by making use of the low intrigues which I have already mentioned, and of continuous delays, to throw upon me the responsibility for its owm negligence, thus nullifying the timeliness of my labor.

Obliged, towards the latter part of April, to leave Ensenada, owing to complete lack of the funds which my Government failed to send me, wired from San Diego to the Department of Public Works on the 22d of said month, notifying it, in the laconic style of a telegraphic despatch, that I considered my work finished, and only waited one week more for the arrival of the General Manager of the International, to hold a conference with him, (as I state in my report) and return to Mexico; for which purpose I requested the sum of two hundred and fifty dollars for my travelling expenses, to be charged to my salary then due.

The Secretary answered my despatch with extreme severity, ordering me summarily to send in my report within fifteen days; but not sending me any money. Placed in this critical situation, I understood the heavy responsibility which might fall upon myself did I not fulfill, by means of extraordinary activity, the work required of me in such limited time, and disdaining to make use of the legitimate excuse which I might have invoked wherewith to cloak myself, by demonstrating that it was impossible for me to make out a report without data or to travel without money, I peremptorily exacted from the agent of the Company at Ensenada the minutes, demanded by me so many times and so often refused by himself; and with them and the others which I received from the Second District Court established there, respectively on the 8th and 14th of the month of May, I joined and coordinated the foundation of my work, which I concluded on the 4th of the following June, and sent it to Mexico.

The official organs of the Company now attempt to insult me, by saying in captious words, that my report was not favorable to its interests because it had disdained to bribe me. As this opinion merely inspires my contempt I shall freely discuss the point, and here say, that there is not one of my countrymen who ignores that during the eight years that I was a member of the Mexican Congress, many there passed with my approval and under my signature without any gain to me, those projects of law relating to improvements and public credit, which for the last ten years have enriched the authorities of Mexico and their favorites: projects that hallucinated the younger members of that body as well as myself, and which we hailed and sustained with enthusiasm as beacons to future progress and well being for our country, and which speculation afterwards transformed into the inevitable cause of its ruin. However, as these arguments, from the fact that they refer to past times, might be now repudiated, I shall make use of another, which, though of less honor, is conclusive. My probity had no struggle to maintain against the corrupting influence of the International Company, attributed to it by the imprudence of its friends, for although it be true that this corporation has gathered and sowed broadcast considerable sums during the course of its business, it is equally certain that from the commencement of the year 1888, when I entered into my official duties, I have been but a witness to its penury. In the month of January I was present at the dismemberment of the San Quintin Colony caused by hunger, and in October last a lawyer at San Diego showed me the powers of attorney given to him by the cook and the chambermaids of the hotel belonging to the company at Ensenada, in order to enter suit for the wages that were due to them. What bribery could be offered to me or to anybody by a corporation in such a state of insolvency!

Finally, a newspaper in Mexico having provoked an unnecessary discussion regarding the payment of my salary, the balance of which, $600, the Government owes me and refuses to pay, I saw myself under the necessity of touching this shameful affair, which up to that time I scrupulously avoided laying before the public. In order to justify its proceedings in this matter the Department of Public Works published in the "Diario Oficial" in its issue of the 18th of December, a report dated on the 9th of the same month, in Section 1 of the same office, wherein it is stated that on the 14th of May preceding, the said Department transmitted to me an order depriving me of the Inspectorship with which I was invested; which order it pretends to prove with the copy of the despatch which it is said was sent to me to San Diego, and the tenor of which is as follows:

"You were instructed that your commission was to last two months and it is now more than four. You have been ordered twice to return and have not done so. Wherefore you are now deprived of your functions of Inspector, for not meriting the confidence of the Government."

Now, as such a despatch never reached me at San Diego, where I resided until the middle of June, I applied, as soon as I received notice here of the said resolution of the Department of Public Works, to the office of the Western Union in San Diego in the following terms:

"San Francisco, December 26th, 1888.

To Manager Western Union, San Diego, Cal.

Please answer if you received telegram addressed to me on the 14th past May from Secretary of Public Works, Mexico. If so forward to 121 Montgomery Street. M. Sanchez Facio."

On the same day I received the following answer:

"San Diego, Dec. 26, '88.

To Senor M. Sanchez Facio, S. F.

No message received here May 14th.

C. F. Patterson, Mannger."

Although this answer is sufficiently categorical as regards the date to which it refers, I wished to ascertain whether on dates subsequent to the 14th the supposed telegram had been received, and to that end I again sent to the same office another telegram in the following words:

"San Francisco, Dec. 27th 1888.

To MANAGER WESTERN UNION, San Diego, Cal.

Your answer shows me no message was received on the 14th May, but kindly tell if after this date you have ever received for me any telegram from Mexico City dated May 14th of this year.

M. SANCHEZ FACIO.

The answer to this was as follows:

"San Diego, Cal., Dec 27, 1888.

To SENOR M. SANCHEZ FACIO, S. F.

I have examined files for several days succeeing May 14. Can find no message far you. Is it of sufficient importance to search further? Have you reason to believe such a message was sent here and delayed en route? C. F. PATTERSON, Manager."

As will be seen, the telegram to which the Department of Public Works alludes has not been sent to San Diego, inasmuch it has not been received there, neither the document, alleged to have been sent by mail, confirming the order for my demission. It is evident that this is the case, because on the 21st of June following, that is to say, 38 days after the supposed message, the Department of Public works simply acknowledged the receipt of my report, and although in the final paragraph of it I formally renounce my commission of Inspector of Colonies and Inspector of two sections of the Interoceanic R. R., no reference is made in the said acknowledgment either to my own renouncement or to the alleged demission; and up to the 26th of July I am advised that for not having presented myself in Mexico, I had been substituted in the Inspectorship of the said railway.

This is not the only fraud to be met with in this document; I have discovered and remarked upon others in the reply which I have given to it, and which I have sent to the press of the City of Mexico, and which I do not produce here owing to its length; but I believe what has been said is sufficient for the public to be able to form an opinion as to the moral worth of a Government which makes use of arms of such a character to disavow and dishonor an employee who has committed no other crime than that of fulfilling his duty, as I have the honor to be able to state is expressed by the unanimous opinion of the press and the people of Mexico.

I shall not comment upon the causes which are invoked to justify this dismissal, as the representative press of Mexico has taken upon itself to place in its true light the extemporaneous and exaggerated pretensions of the Government in limiting to two months a detailed inspection of the Colonies of Lower California, of which two are situated on the Pacific coast, one on the Gulf and the other on the Frontier; where there is a complete lack of practicable roads and the travelling over which means going over six thousand miles, which would require at least thirty days to reconnoitre the places wherein the colonies are supposed to be established.

For many reasons I would have desired to pass over in silence such details; but the injustice on the part of the Government has placed me in the dire necessity of condemning it or allowing myself to be condemned which latter I should deserve if I allowed this matter to pass without protest. Perhaps if it were my own insignificant self I should submit to the sacrifice; but I hold to the conviction that, proceeding as I do, it is not my own interest and reputation which I defend, but the interest and good name of my country.

COLONIZATION LAWS OF MEXICO

AND THEIR BEARING UPON THE INTERNATIONAL CO.

CONTRACT.

The Colonization Law in force in Mexico since December 15, 1883, provides: That for the purpose of obtaining the necessary lands for the settlement of colonists, the Government shall order the survey, measurement, fractionizing and valuation of National Lands.

The Republic of Mexico contains 743,948 square miles, but the area of the public lands is almost unknown. According to the calculation of the Government, (probably inaccurate) the surveyed and adjudicated area of these lands up to September, 1885, was esteemed at 57,890 square miles. (Report of the Secretary of Public Works to the Mexican Congress, October 17, 1885.)

The Government of Mexico having neglected the formation or issuance of a regulated land-tax, which would enable it to discover in a systematic and orderly manner this branch of National property, has followed the habit of delegating this work to private corporations, granting to them as a compensation for the expenses, which it is presupposed they have incurred in the execution of the said work, one third of the lands discovered and surveyed, (Articles 18 and 21 of the same decree.)

Without discussing for the present the imperfections of such a system, which in practice gives rise to much abuse, and always renders uncertain results, it is understood that when a contract is entered into with a company, as in the case of the Mexican International Company, the verification of the boundary survey is no mere formula, but the fundamental requisite which constitutes the contract itself. Furthermore, the very low price at which these lands are sold, which upon an average is 20 cents an acre, in the frontier States of Mexico, is justified by the correlative and subsequent conditions uttered in the contracts for colonization, in virtue whereof these enormous territorial areas are acquired, namely the subdivision of the same into lots of 2500 hectares (6195 acres) as a maximum to each individual of legal age and of the settling thereon a determined number of colonists in a period of time also determined. (Articles 20 and 21 of the same decree.)

The great fault and mischief of the International Company, whereby it does as much harm to itself as to the people who have decided upon forming connection with it, consists in forcing the belief, that a partial fulfillment of the obligations mentioned in the contract it entered into with the Government of Mexico, according to its own interpretations, relieves it from the exact compliance of those same obligations, and consequent to this false idea, it is persistently guilty of two remarkable inaccuricies and conceals one essential condition, which not being fulfilled, makes the contract null.

The two false declarations are,

1st. That the cession and possession of the lands it occupies, or claims to occupy, between parallels 29 degrees and 32 degrees 42 minutes in Lower California is unconditional.

2d. That the area of these lands, (embracing certain portions which it cannot occupy in conformity with the laws and with preexistent contracts), is 18 millions of acres.

The omission of which it is guilty is its silence when it should state, that the contract would fall through, if certain stipulations categorically mentioned therein should be violated. Among which stipulations is one to the effect that it should establish within two years two colonies of fifty families each.

The mention of these infractions does not imply that they are the only ones committed by the International Company, but simply that they are the most preceptible ones of its contract. The company has assumed other grave responsibilities which are stated and proven in the body of the report. Having made these remarks I pass on to the examination of the franchises and the restrictions which affect the Contract entered into between the Government of Mexico and the International Colonization Co.

On the 21st of July, 1884, the Government of Mexico entered into a contract with Messrs. Luis Huller & Co. to establish agricultural, mining and industrial colonies in the Territory of Lower California between parallels 29 degrees and 32 degrees 42 minutes north latitude, and to colonize Cedar Island lying in the Pacific ocean between parallels 28 degrees and 29 degrees.

Article 7 of this contract provides that the Government sell to Huller & Co. at schedule prices (1) the two-thirds of the vacant lands that should result from the surveys, which at that time were being carried on in Lower California, and in the same zone belonging to the Telesforo Garcia & Co. who were acting by virtue of another contract entered into with the Government on the 17th of April 1883, afterwards transferred to Huller & Co.

Messrs. Huller & Co, in their turn transferred their rights to the "International Co. of Mexico," incorporated according to an Act of the Legislature of the State of Connecticut, dated the 19th of March, 1885, and which was formed at Hartford on the 3d of April of the same year.

On the 23d of June, 1884, that is to say some days before Huller and Co's. contract, the Government had entered into another with Mr. Adolfo Bulle to survey lands in Lower California south of parallel 29 degrees.

In one of the reports of the Department of Public Works (2) it is stated that out of the area of 2,502,462 acres contained between parallels 29 degrees and 28 degrees, the Government sold one-third to Mr. Bulle, that is 834,154 acres, which this gentleman then transferred to the International Company. Of the remaining two-thirds the Government reserves or did reserve one, up to that time, and the other was granted to Messrs. Conrado Flores and Santiago Hale, agreeable to the contract they entered into with the Government, on the 9th of April 1883, to survey and colonize the vacant lands between parallels 29 degrees and 23 degrees 30 minutes. Neither has this contract been complied with.

Consolidating that portion corresponding to the Bulle contract with that which is at present represented by the International Company, it is seen that its concession is embraced in a zone *geographically* limited on the North by the dividing line between Mexico and the United States and on the South by parallel 29 degrees; to this must be added the Cedar Island and the 834,154 acres bought by Mr. Bulle between this latter parallel and 28 degrees; but there is to be deducted, (which may be necessary for remembrance hereafter) a certain undecided property, which the Department of Public Works grants to it in ambiguous terms, south of the limit of the

1. The Government publishes every two years the schedule prices of Public lands.

2. Statement of the Department of Public Works, upon Colonization of Lower California, Dec. 6, 1837.

Peninsula. Indeed in the "Statement of the Department of Public Works," already quoted, the following concerning the "Boleo" colony is to be read:

"This mineral region corresponds to the lands which were transferred to Mr. Luis Huller, but the Government, for the purpose of stimulating the mining industry in accordance with the spirit of the respective code and the decree of June 6th last, invites capital from various parts, which will give an impulse to so important a region attracting thither both foreigners and natives."

This statement is altogether inaccurate, for the colony of the "Boleo" is situated between parallels 27 degrees and 27 degrees 30 minutes, and the concessions to Huller have never extended south of parallel 28 degrees, as is proven by the text of the contract itself.

The colony of the "Boleo" was based upon a concession made to Messrs. Charles Eismann and M. Tinoco on the 7th of July 1885, and is situated in the Central District of Lower California.

On the 1st of March, 1884, a contract for the survey and colonization of the said Central District of Lower California was signed with Messrs Irineo Paz & Co.

On the 11th of December, 1886, the survey of the vacant lands in Lower California south of parallel 28 degrees down to Cape St. Lucas was contracted for with Don Pablo Macedo.

On the 25th of the same month another contract was celebrated with Mr. Rudolph Gilbert for the survey of the vacant lands in the Southern District of Lower California.

All these concessions show that the public lands south of parallel 28 degrees are under the power of contracts which exclude all the International Company's pretensions.

The limits the Company's concessions represent being thus defined, there remains to be considered the legal exceptions and the pre-existing rights which cannot be annulled by its said contract; for Article 1 therein expressly states, that the authorizations conceded to Messrs. Luis Huller & Co. may be done so *without excluding the rights of any third party who may represent a better legal right.*

The first obstacle against which the Company stumbles in its pretensions is the decree of February, 1856, *which has not been abrogated,* but , on the contrary, published with a special note in official Gazette of Ensenada on the 2d of April, 1888, by Governor Torres, two months and a half after he took possession of his office, that is; when it was to be supposed that he acted with entire certainty in his resolutions, and agreeable to the instructions of the Government in order to resolve the difficulties that might be submitted to it, after his own ocular testimony of affairs for which he was specially sent to the Northern District of Lower California.

The District Judge who sanctioned all the misdeeds of the International Company, before and after the unlawful occupation it verified of many estates, abstained from the attempt to occupy any property in this zone, and simulated at least a respect for the decree alluded to, delaying his sanction to the pretensions of the Company regarding the Rancho de Guadalupe and Valle de las Palmas, which were therein, till the Department of Public Works should pass its resolution upon the subject. Up to this date there is no record that it has done so, but it implicitly gave its assent by mentioning in a communication dated the 6th of December, 1887, to Mr. Huller, that the International Company had no right to transfer lands to foreigners not authorized to acquire them. This gentleman answered the 8th of the same month affirming that the said limitation had not been disregarded by the Company he represented; but in the late answer he gave to my report he says, upon answering the accusation that the Company has not as yet *verified* any transaction of the kind, and up to the present time has only *initiated* it. The revelation of the representative of the International Company is very important in regard to this, because he spontaneously confesses that although he has not committed the fault (I have proved the contrary in my report), has done and is still doing all he can to effect it; and the certainty which he manifests that his petitions in regard to the matter will be favorably granted by the present Government of Mexico, will in no way insure his rights for the future, for it is a universally legal principle, that laws can have no retroactive effect, and although the Government should abrogate to-day the law of February 1st, 1856, it would be for future applications and different to those which the International Company's infractions have provoked. Any determination to the contrary will compel obedience from people while force obliges, but when the force which upholds the crime disappears so will obedience vanish.

In conformity with these considerations, I show on map No. 1 in red ink, the first diminution to the so called property of the Mexican International Company. It represents the area of approximately trapezoidal figure, which has for its inferior base the dividing line starting from Boundary Monument No. 1 at the edge of the Pacific Ocean, ends on the banks of the Colorado; for its superior base the parallel of the same line, and for its altitude the distance between the two, of twenty leagues, the width of the zone marked down in Article 2 of the law of Febuary 1, 1856.

The length of the first line is 140 miles; the length of the second 94 miles. The length of the third is 52 7-100 miles, corresponding to an arc of 45 minutes 33 seconds, which is the distance of the difference of latitude on the extremes of the normal line which joins the two bases.

Applying these figures to the calculations of the surface, there result: 3,893,760 acres of which the International Company can never legally dispose.

The Company is also bound to respect the rights acquired by virtue of the decree of March 14, 1861, whereof Article 9 reads:

"Of the vacant lands which remain over in virtue of the nullity declared in Article 20, there shall be set apart in two different places adjoining the frontier, which may be considered proper, twenty sitios de ganado mayor (*twenty square leagues*) each one, for the establishing of two colonies, which shall be composed as a *sine qua non* of such Mexicans as may have remained in the territory ceded to the United States, and who may wish to return to the Republic. And for this purpose the Agent of the Department of Public Works, in conjunction with the Prefect of the Territory of Lower California, shall immediately designate those places, and send to his own Section a detailed description of their situation, climate and productions, so that relying upon these data the distribution of said lands destined to each colony be ordered, as also the aid to be granted by the Government to each colonist; the transportation of the latter to be at their own expense.

As a result of this decree there exists the colony of Tecate of which I made an inspection by order of the Government, and whereof I make mention in my report. Its area is 86,786 acres, and the other colony in project, being of the same dimensions, the total area of both is 173,592 acres marked on the map. Besides these two exceptions, if we may so say, collective, the International Company cannot ignore that in Lower California, there have been created by the laws, certain rights whose legitimacy cannot be disregarded, in spite of the confusion which the same laws have produced owing to their frequent and contradictory decrees.

I shall mention the principal ones in their chronological order.

The law of August 18th, 1824, issued by the first Federal Congress of Mexico, gave rise to divers concessions in some of the States of the Republic which afterwards passed into the power of the United States. The greater part of the agricultural lands of Lower California, at that time and up to 1836, were in the hands of the Dominican Monks, successors to the Jesuits and the Franciscans, embraced in the twenty missions founded in Lower California from October 1697 to May 1797. In 1836 the Government of Mexico modified the condition of things causing such holdings to enter into the common property of the Church; nevertheless during the lapse of time from 1826 to 1846, the Governor of both Californias, Don Dio Pico, assisted by the Departmental authorities, issued a number of titles, of which many that were kept at first in the records of the city of Monterey and afterwards taken to San Francisco where they still exist in the State archives, may be consulted.

On the 25th of November, 1853 and 7th of July, 1854, decrees were issued by Santa Anna ordering that all the titles acquired by transfer of vacant lands, made out since the year 1821, be presented to the Government to be revalidated.

On the 28th of June, 1855, the same General, Santa Anna, declared invalid all the concessions of vacant lands made by insurgent commanders, or by the authorities under their sway.

On the 3d of December, 1855, General Alvarez, Santa Anna's successor, abrogated the decrees of November 1853 and July 1854, and disallowed all operations not executed in conformity with the law of August 18, 1824.

On the 16th of December, 1856, the Mexican Government contracted for the survey of the vacant lands of Lower California with the house of Jecker, Torre & Co., of Mexico, granting them one-third of the lands discovered, in full and absolute grant, and the use of the two-thirds remaining until the Government should sell them.

On the 10th of March, 1857, President Ignacio Comonfort published a decree, in which, besides providing for the respect due to titles to acquired property, in virtue of the law of August 18th 1824, reaffirmed the prohibition to which foreigners were subjected not allowing them to acquire land as property, within a zone of twenty leagues from the frontier boundary, without the previous consent of the Government, nor any of the adjacent islands in any form. This law enjoined in Article 1 that sales and transfers of said islands and vacant lands, which might have been made from the year 1821, up to the date of its publication, should be null until the ratification thereof was obtained from the Government.

On the 13th of September, 1858, the Government appointed Jose Castro Prefect of Lower California, who, in virtue of his authority, commenced to sell public lands. President Juarez confirmed the sales in a communication dated at Vera Cruz on the 8th of August, 1859, calling the attention of the said Perfect to the fact that the price of the said lands should be fixed at from $100 to $300 a sitio, square league, (4,428 acres) that is to say at the rate of from 2 to 7 cents an acre, according to its class. At this time there were issued a considerable number of land-titles in favor of Milatovich, Morner and other purchasers, and the possession of which lands are still claimed by those who are yet living, among whom Mr. Milatovich, the principal one, represents a considerable portion of these grants.

During the course of the year 1859 the Federal Government issued and confirmed other titles, among which is to be counted that of Mrs. Burton, referring to that property which since the year 1803 her grandfather, Ensign Ruiz, had acquired, embracing an extension of land, of which Ensenada forms a part, and which now is demanded by the heir of the said Mrs. Burton, against the International Company.

The same President Juarez issued the decree of March 14, 1861, already mentioned, declaring null the sales made by the authorities of Lower California without the consent of the Government, and repealed the grant of August 8, 1859, as the grantees had not remitted the original deeds they held in order to be examined by the Department of Public Works.

During the French invasion in Mexico the said President issued at San Luis Potosi an organic law relating to vacant land, on the 22d of July, 1863. Based thereupon, certain applications for public lands in Lower California, were filed.

On the 30th of March, 1864, Juarez entered into a contract with Jacob P. Leese to colonize Lower California, between the parallels 24 degrees 20 minutes and 31 degrees North Latitude, with the customary stipulations of establishing a certain number of colonists within a given time, and which not having been complied with in the specified time the contract was declared forfeit.

Nevertheless, Articles 16 and 17 of said contract state the following:

"Article 46. The *empresarios* will advance the sum of one hundred thousand dollars on account of the price of lands they are to colonize, delivering within the term of one hundred and twenty days after signing this agreement the said sum in Mexican gold in San Francisco, Cal., to the Mexican Consul at that port, or to the person whom the Supreme Government may opportunely designate.

"Article 17. If the *empresarios* should not fulfill, some or any of the conditions stipulated at the time and in the form prescribed, the concession shall be null and void, and of no effect even though they may have advanced the sum mentioned in the foregoing article, but in the latter case they shall be indemnified with 500 square leagues (sitios de ganado mayor), between parallel 27 and 31 degrees north latitude, with the particular understanding that after the lapse of twenty years from the nullification of the contract, none of the *empresarios* shall be permitted to hold more than 3 leagues in property, each one of said *empresarios* being authorized to sell within this term of twenty years, all the lands that may properly appertain to him, but with the condition of not giving more than three leagues to one single individual."

The wording of these articles leaves no room for doubt as regards the legality of the rights which belong to the concessioner Leese, or his present representatives to the claim and to obtain the extent of land designated in the contract. Certain persons of authorized opinion in this matter, have informed me that some time ago, a certain portion of the representatives of the company organized with several Eastern capitalists in 1867 and incorporated under and Act of the Legislature of New York, bearing the title of "The Lower California Co.," entered into an agreement with the Government of Mexico, which was set aside by a majority of the members, who protested in due form against it. The disagreement of these dissenting members is more than justified, for it appears that the consideration obtained in this contract was the donation of a zone of land in

Lower California already occupied by Mr. W. Hale, mention of whose contract I have already made.

During the month of October last, certain papers of San Francisco and San Diege published an extract of the demands of Mr. F. J. Vassault against the International Company, as attorney for the representatives of the Leese concession. In this extract there appear certain misstatements in the numbers quoted, the origin or reason wherefore it is not within my province to investigate; but it is evident that these will be rectified when the suit is formerly begun before the Courts, by simply consulting the original contract. Upon the basis thereof and considering the obligations which it mentions and which I have detailed, I have marked on map No. 1 the area claimed, measuring 2,217,600 acres, and which must be situated within the limits of the International Company's concessions.

On the 14th of December a decree was issued by President Lerdo de Tejada, in order to confirm the titles of land holders in Lower California, who should have complied with the stipulations set forth in the previous Laws of Colonization, and a special commission was named which for some years remained in the Peninsula investigating the matter. Having fulfilled its office this commission confirmed several deeds and issued new ones.

On the 31st of May, 1875, the same President, Lerdo, issued another law relating to vacant lands and colonization, which also gave rise to a certain movement in the territorial property of the Peninsula.

In accordance with this law a contract was stipulated with Mr. Guillermo Andrade for the colonization of a great extension of lands on the Colorado River, situated in Sonora and Lower California Territories. After experimenting in this contract some modifications the Government stipulated on March 8th, 1888, the sale of 185,000 hectares to said Mr. Andrade, of which 107,500 (265,632 acres) are situated in Lower California, for which reason its area is marked on the map No. 1.

In the interval that lapsed between this decree and that of the 15th of December of 1883, which is the one in force this day, and is the one which upholds the International Company's contract, a great number of concessions were granted and of which those relating to Lower California have been rapidly mentioned.

In 1885 Mr. Maximino Barragan was commissioned to revalidate in favor of the Nation, the Public lands in the Peninsula, the holders of which had not complied with the legal provisions, or in other words, to confirm or annul the titles to property upon which holders based their rights.

The simple reading of the foregoing resume suggests a reflection as surprising as spontaneous, and which is, that Lower California has been sold and recuperated by the Government at least three times, which might have been avoided if instead of building up and then annulling the rights of purchasers by means of the numerous decrees issued for the purpose, one measure, which is the only one left unadopted, had been employed, namely : the true survey of the vacant lands and the authentic and an effective record of all the transfers of ownerships of land. But it is not my intention to criticize the proceeding at present, but to show that the International Company knows perfectly well the conditions by which it acquired the vacant lands in Lower California. It is useless that it should now pretend to fail to recognize them and claim that its titles to ownership are unconditional. The quotation which Mr. Huller makes in his reply to my report, regarding the transactions which he states he has made with the Minister of Finance to acquire the Mission properties situated within the limits of his contract, should be considered as a mark of contempt flung at the Government, were it not known that it is but a theatrical excuse for the justification of which he is altogether preabsolved.

There is no legal disposition which prevents the company from acquiring such property, but the law of alienability of clerical property, now in force in Mexico, and the stupid prodigality of selling to the Company the lands that pertained to the Missions comprised within he limits of the Company's concessions with the exception of the four missions, for fifteen thousand dollars, when the lowest value that might be fixed for them is $500,000, and does but confirm the certainty of the unlimited protection the Government of Mexico grants to it in prejudice to the National interests.

The actual President of Mexico, who eighteen years ago rose against President Juarez, and bathed the whole country with blood in order to overthrow him, although without success, should remember to-day that he is turning a deaf ear to the public clamor which is raised against the International Company, condemning it for the usurpations it has effected, that Mexico's first statesman protected, as in duty bound, the rights and interests of Mexican citizens represented by the poor but worthy inhabitants of Lower California, by stating in Article 1 of the Jacob P. Leese contract the following:

"Art. 1. The empresarios (managers) shall colonize the respective vacant lands of that tract, respecting the property previously acquired by native Mexican citizens, whether they have or have not the confirmation of their titles. The real corporal occupation or quasi occupation of the lands which they may claim being sufficient to give them preference. This being understood with regard to the property granted before the Government complied with this petition, but not with the occupations that might be made afterwards with fraud to the prejudice of the same."

VIOLATIONS OF THE CONTRACT

AND MISDEMEANORS COMMITTED BY THE COMPANY.

The Report shows those which have been committed in the application of the contract, and it would be diffuse to repeat them, even in extracts. Nevertheless, I shall point out, as examples, some which relate to the most important points of the contract, so that the readers of this may appreciate the character and magnitude which they assume. The first false step which invalidates the contract is that,

The survey of the lands granted to the Company has not been made.

Among the vouchers of the Report sent to Mexico, is to be found No. 15, published in the Diario Oficial of the 8th of November last, wherein it is taken down the testimony that the engineer, Wm. Denton, made before the Judge of the 1st Instance at Ensenada, on the 10th of September, 1886, at the request of Messrs. Legaspi & Cota.

The interrogatory to which he was submitted by order of the Judge and the answers he gave are as follows:

1st. State your antecedents.

Answer. That his name is as has been stated, 58 years of age, married, native of England, engineer, Mexican by naturalization and resident of this frontier.

2d Question. State whether the boundary survey has been made according to the prescriptions of the contract for colonization on this frontier.

Answer. That not having the contract at hand, he cannot say whether the requirements of the boundary survey were executed accurately, according to the prescriptions thereof; nevertheless, the boundary survey was executed from data made out by the witness, and other authentic data made out by other engineers accepted by witness, and that he considers the boundary survey to be practically accurate.

3d Question. State whether the fractionizing was made.

Answer. No.

4th Question. State whether that (fractionizing) made is imaginary.

Answer. It is.

5th Question. State whether the engineers that signed the map executed any of the work on the boundary survey at that time.

Answer. That in the official maps there appears no other name than his own as engineer; that is to say, from latitude 28 degrees north up to the dividing line between Mexico and the United States.

6th. Question. Amplify the foregoing.

Answer. That he knows whereof he says, because he was present at the work and that it was done under his orders.

Signed. { WM. DENTON,
EMILIO LEGASPI,
SANTOS COTA.

The foregoing document exists in the archives of the Court of the 1st Instance, and the Secretary of the Court, Jesus Cadena, attested to the fact.

When the present 2nd District Judge of Lower California answered the official consultation I made to him, asking him about the documents that were in his office relating to the survey, this officer expressed without any limitation whatever the certainty he had that the work had not been executed, and concludes his communication, which appears in my report, with the following words:

"A document presented to the Court by an engineer, Mr. Wm. Denton, on the 16th of January, 1886, has been a sufficient basis for a sentence by the Judge, Suarez Torrens; which is counter to the disposition of the law, which requires the presence of the judge at the place where the survey is being made.

"The sentence, or rather the declaration to which I refer, was uttered on the 18th of January, 1886, and therewith end the proceedings of the survey, *which I consider altogether illegal.*"

Furthermore, as District Judges are the officers, who, according to the laws of Mexico, should authorize the surveys and possession of vacant lands, I do not believe that a more apt opinion could be cited than that which the present District Judge of Ensenada passed upon the proceedings followed by the Company and sanctioned by his predecessor in order to elude this vital point of the contract.

The survey being at fault, it is evident that the extension and limits of the enclosed estates had to be formed upon conjectures, that were not even suggested by the loyal intention of discovering the truth, on the contrary, with the preconceived purpose of annulling the rights of possessors, who were summoned with the burlesque solemnities of a formula, in order to prove the legitmacy of their holdings within the term of fifteen days, while, owing to lack of means of communication in the Peninsula, they needed, at least twice, four or six fold the time designated in the edict of the District Judge, to be able to comply with the summons for purpose mentioned.

By supporting itself with the help of these outrages, the Company, in tacit agreement with the District Judge, has been able to usurp many estates in Lower California, in violation of Article 1 of the contract, which states that the franchises granted to Messrs. Luis Huller & Co. are:

Without detriment to any third party who may represent better claims.

Nevertheless, in order to form an idea of the extreme contempt in which this legal clause has been held, I shall cite an extract of the document in which appears the judicial possession granted to the International Company of the Punta Banda property, belonging to Dona Ramona Saenz.

According to this document it appears that:

Luis Huller demands legal possession of—

Punta Banda on	September 7, 1886
Presents his documents	September 7, 1886
The Judge grants the possession summoning the adjacent owners	September 7, 1886
Luis Huller notified	September 7, 1886
The so called adjacent owner, Bernstein, notified	September 7, 1886
The adjacent owner, Shields, notified (30 miles away)	September 7, 1886
The 24 miles distance from Ensenada to the place gone over on	September 7, 1886
23,519 acres were measured, the boundaries of the property were gone over and the minutes granting possession made out	September 7, 1886
The title deed to 1,435,070 acres, which the Government granted to the Company, and the Judge in the name of the nation gives possession of these 1,435,070 acres	September 7, 1886
The certified copies of the deed made	September 7, 1886

As in this case and others similar to it, it is but natural that a feeling of wonder should arise that the despoiled owners should not have been able to repossess themselves at once of their property, it is necessary to explain that the Judge took the precaution of first securing the titles to the property, under the pretext of examining them, and then handing them over as a present to the company.

In the report I mention these abstractions, using such language as the character of such a document requires; but Don Timoteo Ruiz de Esparza, attorney for the owner of Punta Banda, who is under no obligation to be as circumspect, gives voice to his complaint in this matter, in the defense which he has recently presented to the Court at Ensenada upon the subject, in the following words:

"I have already narrated the fact in my preface; the people of Lower California all know of it; but it is necessary that it should be trumpeted forth loudly, now and forever. Judge Lauro Suarez Torrens has stolen the title deeds of Punta Banda; he has stolen those of Warner and Gilbert and of over fifty farmers of Lower California. Let the world know the fact and history record it. And the International Company has in its possession those stolen deeds"

Mr. Esparza's indignation is unfortunately too well founded, for the employee of the Company holding in charge these deeds was imprudent enough to reveal this matter spontaneously in my rooms at San Diego in the month of October in the presence of several witnesses.

The Government of Mexico has published with inexplicable slowness the vouchers of my report, for the latter having appeared in the "Diario Oficial" on the 25th, 26th and 27th of October, but thirty one of the fifty-six vouchers which form the collection have appeared up to the 13th of December. Furthermore as these documents follow a regular numerical order, and in the series published the last one corresponds to the 36th, it is to be remarked that there are missing the 14th, 17th, 33d, 34th and 35th, I see myself under the necessity of publishing them, for although it would have been proper that they should have been kept back in case the Government had declared the forfeiture of the contract, thus nullifying the tremendous harm emanating from the facts revealed in the said vouchers, it is no longer possible that this reserve should be kept in the contrary case, thus serving as a shield for the company to execute with impunity the crimes discovered by such deeds.

DOCUMENT No. 14.

S. A. MacDowell, Sheriff.
Jas. Duffy, Deputy.
Chas. T. Murphy, Deputy.

OFFICE OF THE
Sheriff of San Diego County,
San Diego, Cal., Feb. 28, 1888.

To Whom it May Concern:

I can swear and prove that H. C. Nelson, on or about the 20th day of May, 1887, did smuggle into Ensenada, in Lower California, several cases of repeating rifles and between 40 and 20 boxes of cartridges and take them to Colonel Wells' cottage. They were taken with the knowledge of Charles Schofield. It was about the time that they thought the Mexicans were going to make trouble. They were to arm their employees, H. C. Nelson, Captain of the steamer Pacheco, made me alter the passenger list by not letting me call them Americans and making me call them English or Germans, when they were all Americans that were travelling there.

Thos. Weller, Deputy Constable.

Subscribed and sworn to before me this 28th day of February A. D. 1888.

R. H. Dalton,
Notary Public for San Diego County.

The frauds which this document discovers imply more than a violating of the contract, inasmuch as contraband, the substitution of imaginary beings and the clandestine importation of arms, are weighty crimes, subject to the penalties of common law.

DOCUMENT No. 17.

San Diego, Cal., March 3, 1888.

Inspector M. Sanchez Facio—Dear Sir:

The surveys made by the International Company of Mexico, in and around San Quentin were made upon the metric system of measurements. The city blocks being 120x80 meters, north and south, width of street 25 meters. The land survey being in blocks 863x555 meters, length east and west. It will be observed that this measurement gives 8 blocks of the city, equaling in length one block of acreage, 24 blocks the width of one block of acreage. The accompanying map will aid in understanding. Andaluz Avenue extends north through the acreage and there is no street or avenue extending north of town site until Empresa, 8 blocks east of Andaluz and so on through the town site. There notice that First Street runs east through acreage and none other until Fifth street, making four blocks. The acreage is not subdivided as shown on this plat.

Those acreage blocks contain 117 3.10 acres of land. There has been a great deal of land sold from a plat made before a survey of the land was made, which show the same boundaries of the blocks, but the blocks were sold by the Company as containing 200, or subdivided into four blocks each and sold as 50 acres, when, in fact, they contain less than 30 acres. I do not know of any instance in which the Company have conceded any of the errors, either by refunding the purchaser money or by giving the purchaser the amount of land paid for. I could cite many instances, but will only cite the case of Mrs. Jane Dorris, of San Diego, who purchased, I believe, 22 blocks or tracts which were represented to her as containing 50 acres each, and which actually contain less than 30 acres each. There was about November, 1887, a flourishing colony of between 300 and 400 people at San Quintin, of which there were many families both of Americans and Mexicans, but owing to the deceit and oppression of the Company the place is at this time almost wholly depopulated. I doubt if there are 50 people altogether there now. My experience with them is a loss of $350 for services performed. For other instances of even more flagrant outrages I refer you to Mr. Wasson, Mr. Smith, Mr. Bergard and others who have had dealings with them. In two instances has property been sold twice—first, to Mrs. Dorris, above referred to, in which she bought and paid the first payment of one-quarter of the price of the land ($25 per acre) adjoining the town site on the north, and the sale of the same land to other parties. Also, lot 11, in block 57, which was sold to and paid for by Messrs. McCool & Berg, and also sold and paid for by J. C. Potts. The course of the management of the colony and business at San Quintin has been a course marked by the absence of fair-dealing with the colonists, by deception, and an utter and entire disregard of their rights and the fair promises on the part of the Company, and very peculiarly marked by the most thorough mismanagement and by the absence of business sagacity common to the ordinary business man.

During the month of January and early in February the employes at San Quintin were very insufficiently fed, going without any kind of bread for several periods of one, two to four days at a time, and at other times without meat or bread for several days together. That early in February many of the employes were discharged without money being paid them, and instead were paid by time checks or due bills of the Company, and many wanted to leave the place, but their checks would not be taken as payment for passage, and that they were compelled to stay and board with the Company and pay $1.00 a day for board, besides lodging, and many had to leave the country on foot, or simply stay until their checks were boarded out, and thus be there without money or the means of raising any. That about the month of November, 1887, Mr. Enghist, a brick mason and brick maker, came to San Quintin with his wife and two children to settle, upon the representation of the Company that there was plenty of work for him, when in truth and in fact there was no work. That he was kept there about two weeks by promises of work, during which time he paid to the Company at the rate of $1.00 per day each for his board, besides $1.50 per night for his lodging. There has never been any mason work done at San Quintin. He then became tired and left the place in disgust.

CHARLES VERNE.

Subscribed and sworn to before me this the 5th day of March, A. D. 1888.

R. H. DALTON,
Notary Public for San Diego County, California.

Neither can this be considered as a simple infraction of the contract but is embraced, like the foregoing, in the prescriptions of the Penal Code.

DOCUMENTS Nos. 33, 34 AND 35.

SAN DIEGO, Cal., April 30, 1888.

JUDGE D. C. COLLIER, Present.

DEAR SIR: In some of my investigations as Inspector of the Colonies of Lower California, Mexico, it has come to my knowledge that Luis Huller & Co. (now known as the International Company of Mexico), in the month of February, 1886, sold to Messrs. Wm. Dickey and D. H. Darrah the Tia Juana Valley and adjacent country.

Having been informed that you are the attorney of these gentlemen (Dickey & Darrah), in representation of my Government, I respectfully ask you to give me the following information:

First—If such sale was made, please state when and where?

Second—What price per acre was that land sold for, and how much money was obtained?

Third—Do you know whether any other person or persons claim the aforesaid property?

Fourth—Do you know whether your clients have received possession of the property?

Trusting that you will favor me with an early reply,

I am, Dear Sir,

Very respectfully, yours,

M. Sanchez Facio,

Inspector of Colonies, Horton House, 73.

The California National Bank,
San Diego, Cal., May 1, 1888.

M. Sanchez Facio, Inspector of Colonization, Mexico.

Dear Sir: I am in receipt of your note of April 30th.

I am representing Messrs. Wm. Dickey and E. H. Darrah.

At this city, on February 12th, 1886, Mayor Sisson, acting for L. Huller & Co., entered into a written contract with Messrs. Dickey & Darrah, selling and conveying unto them lands in the Tia Juana Valley and adjacent thereto, bounded as follows:

"Beginning on the Pacific Ocean, where the line of Upper California and Lower California meet; thence along the line of Upper California to the head of, or opposite the head, of the Little Tia Juana Valley; thence through to the top of the foothills of the Big Tia Juana Valley, along down the south side of the Big Tia Juana, along the top of the foothills to the Pacific Ocean; thence along the Pacific Ocean to the place of beginhing."

The price agreed upon was twenty-five cents per acre.

Six thousand five hundred dollars were paid by Dickey & Darrah to the International Company at that date, and is receipted for by "L. Huller & Co."

Afterwards, on August 28, 1886, the further sum of three thousand dollars was paid, and is receipted for "Luis Huller & Co." by Major Sisson, to apply on the original contract and in full for the share or half due from Dickey.

Therefore no survey has been made to indicate the number of acres in the tract.

The tract is still claimed by Messrs. Dickey & Darrah, who are very anxious to gain possession of it, and are ready and willing to take any lawful and honorable steps to accomplish that result. Thus far the International Company have failed to give the desired possession, but promise to do so at an early date.

I do not know whether any other person has possession or not, but have heard that some portion of it is claimed by others, but am assured that the title will be perected and possession given on the arrival of Major Sisson.

Respectfully yours,

D. C. Collier.

To Whom it May Concern:

I hereby certify that in the month of September, 1886, Luis Huller and Geo. H. Sisson, of the International Company of Mexico, claimed to be the owners of and offered to sell to me a portion of the Tia Juana Valley, in Lower California, including the hot spring.

Yra Carpenter.

Subscribed and sworn to before me this 5th day of March, 1888.

George M. Dannals,

Notary Public, San Diego County, Cal.

We gather from reading these documents that the International Company has committed the crime of swindling by selling alien property to Messrs Dickey and Darah and the crime of attempting a swindle by selling the same property to Ira Carpenter.

The only excuse Mr. Huller gives in his reply to the report is his statement that the sale of alien property is, that is improbable and it is so truly in a company which poses as respectable, but not so unlikely as the conduct of the Government which cloaks and absolves the crime.

The Company insists, that no other company, independent of itself, has effected sales of land in Lower California, and I need not appeal to new proofs on this point, as the minutes which exist in the Court of Records at San Diego and the deeds which the purchasers hold are positive proofs that contradict Mr. Huller most implacably; but as he is sufficiently imprudent as to state that the only agents of the International Company were Messrs. Hanbury and Garvey, who are no longer such, in virtue of an agreement celebrated between themselves, and as he passes over in silence the nature of such an agreement, I shall fill up this ommission of Mr. Huller's by making use of data which, unsolicited, came to my hands in regard to this subject.

It is very true that the transaction Mr. Huller mentions did take place, but it is in itself an outrageous attack on the laws of Mexico, and implies a most serious responsibility as much on the part of the Government as on that of the Company. It consists in the transfer of the Coronado Islands to Messrs Hanbury and Garvey, who since the month of April last, claim to have organized a company in order to work the quarries that are to be found there. The *Sun*, of San Diego, in its issue of the 3d of that month, states that upon one of its reporters questioning Mr. Hanbury, he stated that the islands, both large and small, distributed along the coast of Lower California being embraced within the terms of the concession, the Company had transferred its rights over them to the firm of Hanbury and Garvey in one of the stipulations of the new agreement.

Whatever be the origin of such a statement it is false. Article 29 of the Law of Colonization provides, that islands can be rented but for a short period and that in the colonies established upon them, the number of Mexican families must represent at least one half of the total number of the colony families; and it is very easy to perceive upon reading the contract between the Government and the International Company that the Coronado Islands are not embraced within the concession, in which mention is made of the Cedar Islands alone.

What has transpired in regard to the deeds of the proprietors in the Peninsula, and the telegram lost between Mexico and San Diego notifying me of the cancellation of my appointment, shows that the Government has employees sufficiently complacent to make official documents appear and disappear whenever it suits the convenience of its favorites, so that it would not be at all strange that a contract should now arise authorizing the lease of those islands for the purpose of giving a lawful aspect to their clandestine occupancy; but this would be an extemporaneous determination insufficient to justify one or the other extreme of this dilemma—either the private cession of the Islands by the Government to the Company, or the aggressive occupation thereof by the Company.

The article in the *Sun* is not the only testimony which reveals the fact alluded to. During the month of October last at the Chamber of Commerce visitors were shown samples of the stone registered as belonging to the firm of Hanbury & Garvey of the same city; and lastly having had the honor to receive a visit from Mr. H. J. Willey of this city who begged me to give him my opinion regarding the supposed rights of the International Company over said Islands; I was informed in turn that the Company which to-day lays claim to the quarries, applied to the said gentleman offering him one-fifth of the business if he would raise the capital sufficient for handling it. This statement will show that the new agreement mentioned by Mr. Huller so very softly, far from being a satisfactory excuse as he thinks, constitutes a very much greater misdemeanor than that which he attempts to smooth away in his reply.

The principal argument made use of in that document to show that the Company inexcused from complying with the precepts of the Law of Colonization, and whereof the lack of observation, is finally confessed, is that a part of the lands which it occupies in the zone protected by the concession, was obtained from the Government or from private parties by purchase. This argument is false: in the first place; because the Government is authorized to sell Public Lands at the very low price fixed by the schedule, only for the purpose of colonizing them, and not for the purpose of favoring speculators who form outrageous contracts to the detriment of the

Public Exchequer, and secondly, because until by means of the necessary operation on the ground itself, the sections which should be considered as Public Lands, are not perfectly defined, and the confusion incident to law suits, be not settled, the authoratative resolutions of the Company cannot be regarded, without prejudicing the just rights of its opponents.

That which is happening at Ensenada practically evidences the sophistry which serves as a base to the arguments of Mr. Huller, for as he argues simultaneously that the principal colony exists at that place, and that the company acquired the place by private transaction, he will be, by extending the exception to the balance of the property, always able to evade compliance with the contract, by calling them alternately colonies, when he wishes to enjoy the franchises which the law concedes to such settlements, or private estates when he wishes to evade the obligations.

By consulting Article 21 of the Law of Colonization it is to be seen that the companies which contract with the Government for the boundary surveys of public lands, can only receive one-third of the lands reserved for this purpose; and in section 1st of Article 25 it is clearly set forth that the lands sold to such companies shall be *for the exclusive purpose of colonizing them.*

In spite of these preventions, in the contract with Messrs. Luis Huller & Co., it appears, agreeable to the wording of Art. 5, (connected with Art. 4) that upon finishing the survey of Cedar Island one-third of the lands surveyed shall be ceded to the Company, and in Art. 8 the other two-thirds shall be ceded, *for the exclusive purpose of colonizing them.*

Art. 7 of the same contract, authorizes to sell to the company at schedule prices the two-thirds of public lands which may be discovered between parallels 29 degs. and 32 degs. 42 mins., north latitude in Lower California as a compensation for the expenses incurred in the establishing of colonies.

Comparing therefore the articles of the law with those of the contract it is to be seen that, in granting the whole of Cedar Island, and two-thirds instead of one-third of the public lands in the Northern part of the Peninsula, the law has been completely violated. The forfeiture of the contract, evidenced to the uttermost in my report, made the divulgation of the irregularities of this document unnecessary; and which I could not consign in my report without being derelict to my duty of subordination as an employee, on account of the responsibility which the Government itself would incur therein; but this reserve and these limitations having been annulled through my resignation of the office I held in order to acquire the right to express my opinion as a simple citizen, in favor of my country, I point out this unlawful state of affairs in order to counteract in some measure the tenaciousness with which said Government persists in absolving the International company of all the responsibilities it has incurred.

The mere reading over of Mr. Huller's report shows the weakness and insufficiency of his defence. To the infractions categorically stated and mathmatically proved, the Company's representative merely offers baseless negatives, trivial excuses, secret proofs, clumsy confessions and inexplicable omissions, among which the significant mutisms which he maintains in regard to the phantom Peninsula Railroad overtops all others, a subject which at times less opportune than the present, has been the noisy theme of its advertisements.

On the other hand the general tone of the document, a true reflex of the declamations and constant apologues of the Company, is characterized by the endeavor to prove that its stability and progress are to be the basis of the future prosperity of the Peninsula, and the opportunity for foreign, especially American capital, to be sunk therein with the prospect of exceptionally brave returns

It is not in theory but in the facts which have occurred up to this date, which show plainly that through the influence and by the co-operation of the International Company,

AMERICAN AND IN GENERAL FOREIGN CAPITAL IS EMBARKED IN A DISASTROUS SPECULATION.

As has been seen, the disasters which initiated the so-called colonization of the Peninsula, which instead of disappearing, increase daily, have given rise to a state of general hostility among all the elements which are in ferment and which threaten new conflicts. The pacific possession of the country will not be obtained by the means which have been employed up to the present, however energetic the endeavors of the Government to bring it about.

Natural rights and the material resistance of the wronged will, from the impulse of self preservation oppose themselves to the collective sacrifice of a body of citizens in favor of a corporation which has only given marks of its rapacity and inaptitude in the handling of the business it has acquired.

The difficulties, and the outcome of these difficulties, are not problematical, inasmuch as the aspect of the disaster is even now taking shape and casting its shadow beforehand.

The Judge of the First Instance of Ensenada has refused to receive the complaints of the plaintiffs against the International Company, stating that as the contracts have not been publicly recorded they must be considered void. Disconcerted by this legal blasphemy, uttered in August last in the case of Mr. Tabor, and for which, instead of punishing the delinquent, (the Company), the Judge protected it, by alleging this direliction as a reason for throwing out the case, other parties refrained from taking this course; among the latter were Messrs. Phelp, Quarrie and Blake, and among the ladies Cobern, Bailey and Dorris, who in good faith and like others purchased lands from the Company by whom they were afterwards cheated.

Each one of these cases represents an attack of greater or less gravity. As an example, the case of Mrs. Fuller, which refers to the purchase of lot No. 15 situated in block 91 at San Quintin and on the plan, this very block and five others have been suppressed to form the Esplanade Diaz, showing by this that the transaction was chimerical; but, the most interesting of all is that of Mrs. Dorris, who began her suit in the courts of San Diego, which granted order for an attachment upon the property of the International Company in that city.

This decree, so simple at first sight, and which cannot be denied as intrinsically just, will, nevertheless, give rise to, if generalized, in the future, grave inconveniences, for the following reasons:

The causes, which in general give rise to law suits, are the irresponsibilities of the companies, which have illegally co-operated with the International Company in order to carry on the sale of lands, and which companies have granted to purchasers provisional deeds, thus eluding the Stamp Tax, which according to the law of Mexico is obligatory. In this condition of affairs, as to the responsibility incurred by the International Company, which is the fountain from which this state of disorder flows, and obliging it to comply with the statute within its jurisdiction; but from the moment that the courts abdicate their high functions, they leave no other road open to the plaintiffs but that leading to American tribunals in search of that justice which they have been denied in Mexico. Consequently it is easily understood that when these suits acquire proportions corresponding to the injuries received, the property of the International Company existing in the United States will not be sufficient to cover the amounts sued for, and then, either the sentences passed by the American Courts will be held in contempt, owing to the insolvency of the Company in the United States, or they will have to be made good in Mexico, where its property lies, the conduct of our own judges, who by that fact will then be rendered subordinate to a foreign authority.

The questions being necessarily carried thus far, what will be the line of action of the Mexican Government? Will it submit its judiciary to a foreign jurisdiction? Convert them into simple executers of the sentences transmitted to them by the United States Courts in order to carry out their decrees, or will it not give any protection to the petitioners who have out of necessity made use of this resource? The first alternative would be equivalent to renouncing its sovereignity over that part of the National Territory, and as a necessary corollary the annexation of the Peninsula would indispensably follow, as also the annulment of the fictitious rights of the International Company; the second would be a direct attack upon the property of the purchasers who have invested their money under the trust that their contracts were bona fide; but whatever be the course adopted it will be equally disastrous to foreign speculators.

The peculiar construction that the Company occasionally puts upon its contract and the obedience it renders to the Laws of Mexico when it suits its own convenience, gives rise to the fear that in the near future it may resolve the question of the claims of the plaintiffs, by appealing to Article 14 of the Law of Colonization, which says:

"Colonists who shall abandon without due and justified cause for more than one year, and before having paid for them, the lands transferred to them by sale, shall lose their rights to said lands and to such partial payments as may have been made on same."

Should the Company obtain (which is by no means unlikely) the privileges of making use in their own entity of this right, which belongs to the Executive, for the government of colonies which may be established, it will then have at hand the means of liquidating without trouble or expense, the accounts of said plaintiffs, and it is not out of place to charge the latter to bear these remarks in mind.

On the other hand, it is difficult to foretell the final outcome of these present conflicts, whereof the complications have increased owing to the nullity of the

AGREEMENT CELEBRATED BETWEEN THE INTERNATIONAL COMPANY AND A SYNDICATE OF ENGLISH CAPITALISTS.

Entered into and concluded between the months of July and September, 1888, which, although it will never bind the people of Mexico to its acknowledgement nor to declare to its validity, on account of the judicial blunders which vitiate it, will still be a new disturbing element added to those which already perplex the question.

The Government of Mexico acknowledged the receipt of the Inspector's Report on the 21st of June, 1888, in which report the contract has been declared legally forfeit, a fact demonstrated by documentary evidence. Instead of this report being opportunely published by the Government and a resolution either for or against public opinion being uttered, (an opinion which could not be more explicit in its disapproval of the contract), it delayed, as before said, the publication demanded by the press till the latter part of October, and requested, on a date not mentioned, another report from the Representative of the International Company, regarding the charges which had been made against it; which report was sent in on the 14th of November, and published in the Diario Oficial on the 21st of the following December. While this was going on the President of the International Company, its Auditor, its General Manager, its Agent at Ensenada and the representatives of the English Syndicate took a trip to the City of Mexico, where they remained during the month of September, receiving the highest marks of attention from Presdent Diazi and his Cabinet.

The Company's organs, which describe most minutely the receptions and banquets with which the travelers were honored, kept, as did the Government of Mexico, the most profound silence upon the only point which the public really wished to know, which was whether the Government did or did not authorize the transfer to any individual or private corporation, of its lands, properties, or other franchises of its contract, as is specially stated in Article 26 of the same contract.

Nevertheless, far from any such communication appearing, together with the Inspector's report, the Company's reply and the final determination of the Government, so that by means of a comparison, it might be deduced whether the interests at stake were or were not in harmony, the arrogant clamors only of the Company have been heard, the same which have resounded from the very first day the Company took possession of Lower California, up to this date, voicing the often repeated and monotonous theme of the absolute favor with which the authorities of Mexico regard it; but it is not any such favor, however lauded it may be, that can protect the rights of a corporation which has shirked its duties, but the powerful and stable support of Law, without which, all personal protection which may be granted to it must become useless, when thrown into the balance against the principles of justice which govern all nations.

By analyzing the foregoing facts with absolute impartiality, it is to be discovered: that in the time that transpired from July to December of 1888, the International Company joined issue with the representatives of English capital in an agreement, the support and protection of which the contracting parties obtained in the same month of December; an agreement, of the terms of which the Government is well aware, for Mr. Huller closes his report of November 14th by making an allusion to this complete understanding.

What is now urgently needed to be known, both by the people of Mexico and American capitalists is, whether this syndicate knew or did not know in time, that the Government had in its hands the proofs of the abnormal situation of the Company, when it sanctioned this agreement. If the first be the case, it can never, should any emergency arise, invoke the protection of the laws of the country which it has contemned, simply because the higher authorities promised an arbitrary and untenable protection, making use of the Public Exchequer as though it were their own patrimony. If the second be the fact, its carelessness is as punishable as though it were a deliberate fault, and upon itself only can it lay the blame, when such bastard influences, as are in vogue to-day, devoted to the bartering away of Mexico's interests, be removed to give place to banished order and morality.

GENERAL APPEARANCE OF THE SITUATION.

By condensing the facts recorded in this pamphlet, it will be seen: That the present situation of the International Company in Lower California is based upon a forfeited contract, which serves as a shield to an usurpation *de facto* and a threat to both foreign and home interests. The programme initiated is impracticable, because it requires not alone the suppression of recognized rights, but the carrying out of absurd plans which common sense repels without requiring to enter into their discussion.

Analyzing its natural aspect, and in such a manner that its structure becomes perceptible to all, as must be the indispensable case in all projects of the class handled by the International Company, it is to be remarked that all the obstacles over which it has stumbled and still continues stumbling are insuperable. Any one can explain to himself without consulting lawyers or financiers, that the invasions of property in Lower Californin are overcome simply by a law of physics—the law of impenetrability, whereby two bodies cannot occupy the same sphere. These possessions cannot be held by the International Company, nor by the English Syndicate, nor by purchasers from the East, nor by the imaginary future colonists, for the simple reason that they are already held by the inhabitants of the locality, whose title deeds, if not immaculate, are at least better than those which serve as a pretext to enable a corporation, whose claims fall through before the evidence of the infractions committed by it, to expel them.

However harsh may be the revelation of the actual state of affairs in Mexico, they must be made in order to avoid within the limits of possibility the pernicious results for the future, arising from the crooked course which the Government has been following—victim of its own wilful blindness.

The importance which though lacking has been given to political and religious dissensions, by ill-will, party passion and rival dispositions, are but the symptoms of much deeper seated evil, the roots of which penetrate to the bottom of the question which is neither political nor religious, but social, and is: the agrarian question—monopoly is the statute of property in Mexico, slavery its instrument and usury its resource. Distributed as land is to-day among twenty or thirty thousand large estate owners; who employ three million Indian day laborers whose salary is on an average of twenty-five cents a day, they are born, live and die bound down by a traditional and heavy chain to the estate which employs them, and without any banking system to furnish farmers with cheap capital to carry on their business, the stringency which is now everywhere noted and grinds down the country is the natural consequence of such a state of things.

The Government believing it possible to remedy the abnormal situation, and moved by impulses which are now to be investigated, contrived and put into practice, chiefly these last five or six years, and with rash activity, a system for surveying Public Lands by means of Companies, to whom it has been with candid simplicity attributed, an aptitude and disinterestedness to carry out successfully the laborious and delicate operation of discovering and fractionizing such lands, in such a manner that these preliminaries might serve as a basis for an ulterior profitable and equitable mobilization in favor of the community. As is natural these Companies acting in representation of the Government, attend to their own profit, but by no means to administrative objects which they pretend to carry out, the consequence follows, that the work they present as results of their search only serve as means to attack with impunity the rights of proprietors, who suddenly find themselves as delinquents of a crime the responsibility of which in part belongs to the Government for its inaptitude and indolence. What is now actually taking place in Sonora gives an approximate idea of the troubles. The case is this, that in that State a company bearing the title "Franco-Mexican Agricultural Company" has commenced operations, under the direction of Mr. E. Schnetz and following the same steps of the International Company in Lower California. The engineer of the Company, Mr. Flipper, has limited the survey of the vacant lands in the section referred to, to noting down at his discretion in his field notes such properties as he imagines to be situated after a rapid investigation, which has provoked a feeling of alarm and indignation among the owners, a feeling expressed and propagated in the Mexican papers. And what has been said of Sonora stands good for the States of Jalisco, Hidalgo, Chihuahua and several others forming the Mexican Confederation. How then, is it possible for any progress to take root in a country and foreign capitals invested therein under favorable auspices, upon such an immoral and crumbling base?

The ill-being which afflicts that society, outraged by its own authorities, is drawing it day by day close to a fearful crisis. Its social ranks so widely dissimilar among themselves, as is the case in all Spanish-American countries, and which fact impedes the union of its interests, and the representation and defense of its rights, forces them to be stolid witnesses and mutely protest against this chain of abusive deeds, which are pompously styled reforms and administrative progress, but the true character of which cannot be concealed by the venal outcries of official flatterers charged with the duty of proclaiming and confounding the beauties of a so called enviable state of peace, with lassitude and decay, the consequences of barren results of the civil strifes which preceded.

The positive harm which this disordered state, the fountain of this moral depression, revealed in the lowest classes owing to its ignorance, in the middle classes to its poverty, in the highest to its idleness and all three to the terror which an implacable military government causes them, is not limited to the country itself, but its consequences have commenced to be preceptible and noxious to foreign parts, whence with favoring elements and in good time a mutual co-operation of benefits to each might have been formed.

The prodigality with which contracts of all kinds have been tendered, is now proverbial and source of contempt ; the lack of foresight in their emission, the corruptness with which they are exploited and the premature bankruptcy which attends them, have their marks of lack of credit which cannot be readily effaced. The seductive concessions of enormous stretches of vacant lands, chimerical railroads and of fabulous mining districts, have to-day made more victims in the United States than in Mexico, and such new projects as may be ushered in, although clothed in the best form, will have to struggle with the hostility of the remembrance of foregoing disasters.

The acquisition of a contract proceeding from the Government of Mexico generally gives use to two alternatives. The first exists in the contract itself, by giving it the appearance of a serious and formal business ; the second is the outside of it and lays in the seeking for the capital to undertake it ; but experience has shown that when the projects shall fall into the hands of speculators troubled with little scruple, they may be compared to letters of marque issued for the purpose of pirating on land.

The author's desire of issuing this work is that its reading may be of some utility to such persons as aspire to exercise their activity in remunerative business, though difficult in the execution, and whom a certain class of speculators are always ready to dazzle with a brilliant prospectus.

There is no need to enter into any defense of the interests of Mexico in these pages, because the recognition of such rights exists in the breasts of all. The selling of the National Territory to a company at the rate of eight cents an acre, through the compliance of certain insignificant stipulations, and not declaring forfeited the contract upon which the sale is based, in spite of the manifest demonstration that it has been violated, and that the rights of many citizens have been trampled upon, is equivalent to a deliberate attack upon the Constitution of the country and unfetters the nation in its obedience.

The constitution and fundamental laws of a people are like the shield which protects the natural rights of the individual and of society, and therefore all the laws and decrees of a government running counter to these fundamental supports of justice are null. "Every law contrary to natural law is null;" such are the precise terms in which the Roman law givers formulated this primary axiom.

The most eminent English and American justices, naturally uphold the same principle, and one of the most illustrious exponents of the law in the United States lays down the doctrine which should govern the matter, in the following eloquent words:

"Laws repugnant to the constitution are void. The principle in the English Government, that the Parliament is omnipotent, does not prevail in the United States, though, if there be no constitutional objection to a statute, it is with us as absolute and uncontrollable as laws flowing from the sovereign power, under any other form of government. But in this, and all other countries where there is a written constitution, designating the powers and duties of the legislative, as well as of the other departments of the government, an act of the legislature may be void as being against the constitution. The law with us must conform, in the first place, to the Constitution of the United States, and then to the subordinate constitution of its particular State, and if it infringes the provisions of either it is so far void. The courts of justice have a right, and are in duty bound, to bring every law to the text of the Constitution, and to regard the Constitution first of the United States, and then of their own State, as the paramount of supreme law, to which every inferior or derivative power and regulation must conform. The Constitution is the act of the people, speaking in their original character, and defining the permanent conditions of the social alliance; and there can be no doubt on the point with us, that every act of the legislative power, contrary to the true intent and meaning of the constitution, is absolutely null and void.''—[Kent's Commentaries, Vol., p. 449.

M. SANCHEZ FACIO.

San Francisco, February 12, 1889.

REPORT OF THE INSPECTOR

COMMISSIONED BY THE

GOVERNMENT OF MEXICO

TO VISIT THE COLONIES ESTABLISHED IN

LOWER CALIFORNIA.

To the Secretary of the Department
Of Public Works and Colonies:

I have the honor to respectfully submit for your perusal the report, supported by documentary evidence, of my observations while acquitting myself of the office you were pleased to confer upon me of inspecting the colonies established in the Territory of Lower California. I labor under the certainty that my abilities are below the capability required for the study of a question so difficult and complex as this, considering the peculiar circumstances which surround it; nevertheless, I have paid all due attention to the fulfillment of this work, in order to counterbalance, by strict method in the notation of the facts and by complete adherence to the truth in their interpretation, the want of ability required in so delicate a charge.

For greater clearness, I shall divide the present report into three parts, corresponding to the three distinct groups which I now take up. The first will embrace the projected settlements of the zone acquired by "The Mexican International Company of Colonization;" second, the Colony of Tecate, established on the line dividing Mexico and the United States, which owes its birth to the decrees of March 14, 1861, and December 14, 1874; and the third, the mining colony named "El Boleo," under the management of the French Company, situated at the port of Santa Rosalia, and which consists, up to date, of one central settlement and three subordinate groups.

PART I.

COLONIES OF THE NORTHERN DISTRICT—INSCRIPTION, NUMBER AND ESTABLISHMENT OF COLONISTS.

On January 1st of the current year I arrived at La Ensenada de Todos Santos (All Saints' Day), and in order to proceed with my charge, I limited myself to faithfully carry out the instructions I received upon the subject from your Department, grounding thereupon the researches pertaining to the case. Therefore, in order to investigate the number of colonists, the detailed circumstances which, according to the law and the contract, should characterize them, their regimen and establishment, the distribution and transfer of property by the company, the improvements made in the locality, and in general all the points mentioned in the instructions, I called upon Mr. Maximiliano Bernstein, the company's agent at the place, upon lawyer Manuel Patino Suarez, District Judge of the Primary Court, and, conjointly with Mr. Richard Orozeo, Inspector of Colonies and of the Peninsular Railroad, Captain Mariano Valdespino Figueroa, also Inspector of the same branches, requesting them, counting upon their courtesy, to communicate to me such information relative to the subject which each ought to possess in virtue of their respective functions.

I could not solicit at that time the same information from the Mayor, the Federal Judge, and the Municipality, these three powers being suspended—the first, for not having taken possession of his office in virtue of the recent organization of the Territory of Lower California until the 20th day of January, when he arrived at "La Ensenada;" the second, caused by the same absence; and the third, because, in spite of that body having been elected in order to act during the present year, it had not been legally constituted, as it was dependent upon the authority which was to legalize the investiture.

The order I followed to obtain these data furnishes me the presumption that I have been able to conjoin with regularity of argument the authenticity of the information required, inasmuch as the accounts, which could and ought to be furnished to me by these employees and parties in authority, in their official capacity, are, from the very nature, such as are needed, and are sufficient to judge whether the Mexican International Company has or has not complied with the stipulations of the contract which bases and upholds the legitimacy of its operations.

So soon as the functionaries whom I mention took possession of their offices, I applied to obtain from them the information relative to the different matters in which the affairs of the company are connected with the branches of administration confided to them, and I owe to their lucid co-operation the knowledge and proof of the facts, with the investigation of which I was entrusted, and from the union, analysis and comparison of these data, and the general examination of them as a whole, springs the general verdict upon the subject.

Until the 5th of last April, when the records of the District Court arrived at "La Ensenada," I could not apply to the Judge to obtain therefrom the original points concerning the operations of the company, and which were indispensable to me in order to complete my judgment upon the matter.

The Judge above referred to courteously sent me his answer on the 14th of last May. In it he gave me such information as was compatible with the proceedings of his office. I shall communicate them opportunely.

General Luis E. Torres, Governor of the Northern District, impelled at once by his own determination and at my petition, after his arrival at "La Ensenada," ordered the formation of a census at that point and at neighboring places, which was done by Miguel Miramon and Manuel Le Grand, and in which undertaking I at times personally co-operated.

I have reserved the authorized copy of the first, which is the only one that can at present be considered (as the town of San Carlos and Punta Banda has been formed of a floating population of laborers and artisans employed in clearing and in the building of the three houses which are in each one of the places named). I keep it to use for the purpose of comparison with the analogous documents which were kindly sent to me both by the agent of the company and the Inspector, Mr. Valdespino.

The Judge of the Primary Court answered on the 17th of January my communication relative to the transfers of real estate effected and registered by the company at his office, where the public register is kept, accompanying therewith an extract from the same, in which appear only those that, from their insignificance, give no exact idea of the real character which have covered these operations, and which I shall, for several reasons, discuss hereafter, aided with the testimony of authentic facts.

On the 23d of January Mr. Valdespino answered the communication sent to him by Mr. Orozeo and myself on the 12th of the same month. He accompanied the same with a list of the colonists inscribed by him in the month of October of the preceding year, when he commenced to officiate as inspector of the colony. In it there appear 271 persons—men and women of all ages, children, infants and aged persons, representing 89 families. Out of this total 197 are foreigners and 75 Mexicans. The same Inspector, adds that he had previously remitted to us the lists of the colonists inscribed by Mr. Massac, which I indeed received and now hold, but of which I shall only make use to repudiate his (Mr. Massac's) testimony; for they are so carelessly, falsely and confusedly made out that, in spite of their being drawn from his own register, and he recognized as a naturalized Mexican, who should have authorized them as Inspector of Colonies, he himself appears in them as an Austrian and a colonist.

The official census formed by the order of the Governor gives, on the 31st of January, 1888, a total of 1373 inhabitants in the town of "La Ensenada"—deducting from the list 190 soldiers and sutlers, the number is reduced to 1183. In an extract of the census which the Governor furnished me, 247 persons are registered as colonists, embracing men, women and children. Grouping these methodically, it shows 134 families and independent unmarried persons. From the first total of 247, 118 of those, who officially declared that they had not made use of their colonist certificates, have to be deducted; so that, in fact, as colonists, there remain but 129 persons who thus declare themselves, and of whom 31 are less than 15 years of age.

The proportion as to nationality is 101 foreigners to 28 Mexicans, a divergence from the 30 per cent. that is called for by Article X of the contract.

On my way to "La Ensenada," towards the latter part of December of 1887, I asked the Mexican Consul in San Diego, how many colonist certificates he had issued up to date. After consulting with characteristic cheerfulness his records, he answered that he had inscribed 182 in his register. It would be natural to suppose that one month later this number would have increased; but even supposing that were not the case, and supposing the number to be unaltered, the extract from the census which I have been comparing, does not even approximately agree with the figures at the Consulate.

In the column which shows where the certificates of the colonists were issued, there appear only 56 granted by the Consul at San Diego, so that the difference of the 126 which are missing, is inexplicable. It might be supposed that such colonists had gone to other places besides "La Ensenada;" but this hypothesis is inadmissible, inasmuch as no other towns exist. The so-called city of San Carlos is formed of two wooden houses, a stable and eleven tents which have been used as lodgings for the laborers who worked on the clearing which was to form the streets, and for the mechanics engaged on the buildings mentioned.

At Punta Banda there is one house, which serves as the residence of Colonel Oliver, owner of that portion of land, and two or three others, the lodgings of his assistants; and at San Quentin, where I arrived on the 28th day of January, accompanied by Mr. Orozeo, after having explored the island of Guadalupe we found, although on a larger scale, a building identical with the former, that is to say: a hotel, several one-roomed wooden houses and some twenty tents, used to lodge the workmen, who at that time had left, owing to lack of payment of their wages.

There being no officers to whom we could apply and obtain data relative to the town, we called upon the manager of the hotel, who, from his employment and connection with the Development Company, which had been in operation, but had suspended for lack of funds, was the person most fit to give the required information. This gentleman promised to form the list and remit the same to us at "La Ensenada." He failed to do so, but I refrained from troubling him anew, because, although indirectly, I received, nevertheless, through him, the information I was seeking. In fact "The San Diego Sun," of the 24th of January, details a conversation between this gentleman and one of the reporters of this paper's staff, wherein he spontaneously, and, consequently, unsuspectingly, reveals the number of inhabitants that at that time were to be found in the "Romero Rubio" colony, with the additional circumstance, though not for the purpose of stating their number, he mentions the proportion between the Mexicans and the foreigners; the part of the conversation relating to the subject is as follows:

"During the last ten days the workmen at San Quentin have had no other flour but eight sacks that I borrowed from a neighboring farmer. In fact, with the exception of meat and coffee, there is a scarcity of food. *But there is no fear of any insurrection in the camp, because there are but thirty-five Mexicans among a hundred white men, who would chaw them up in less than a second, should such a thing happen.*"

I omit all commentary foreign to the character of this report; but I wish to remark that the relations between Mexicans and foreigners are not in accordance with the provisions of Article 10 of the contract.

Mr. Bernstein having delayed the sending in of his report, I repeated to him my request of February 6th, urging upon him the necessity of the prompt remission of the data demanded; for the quarrel that had commenced the month before between the International Company and its agents or partners, Messrs. Hanbury & Garvey, mentioned and commented upon by the San Diego press, gave rise to the formation of an incomplete and perhaps erroneous opinion of the true state of affairs, which could only be rectified and completed by authentic accounts, which the company itself should communicate to parties charged with the duty of inspecting its proceedings.

Mr. Bernstein failed to answer my inquiries by writing, but he verbally represented to me that he had already ordered the formation of the documents and vouchers of his report, upon which the employees of the office were assiduously at work. Compliant to these observations, and for the purpose of allowing him all the time he desired, I determined, in order to improve my own, to go to Santa Rosalia to fulfill, in the meantime, the corresponding visit to that colony.

Owing to circumstances, which I will mention in due time, and entirely foreign to my desires, my return to "Ensenada" was delayed till the 29th of last March. I immediately demanded of Mr. Bernstein the delivery of the report, which I supposed was finished, considering the time that had elapsed, but such was not the case, and not having sent it within the term of one week, when he agreed to have it ready, I sent him the third letter, dated the 6th of April, urging him to comply with the formalities demanded in official correspondence, and mentioning that though the information I had acquired through official sources sufficed to frame my report to your department, I nevertheless wished to obtain, as contingent, his observations, in order to incorporate them into the composition of this memoir.

The company's agent persisted in his silence, whereupon I determined to return to the Capital, but having to stop for a few days at the frontier to inspect the colony of "Tecate," I did not wish to lose the opportunity presented by this delay, and sent my last communication to Mr. Bernstein, on the 27th of April, through the conduit of the Consul of Mexico in this city, at the same time notifying the Governor-General, Louis E. Torres, so that he might give me a letter accrediting the fact, which voucher he had the kindness to send me.

On the 8th of the present month Mr. Bernstein, as representative of the Mexican International Company of Colonization, sent me, in his report, accompanying therewith three vouchers. The deficiency of the report which leaves unanswered some questions categorically put in my communications referring to the subject, and which are essential to the contract, and the ambiguity, the misstatements and the falseness of some of the data consigned in the vouchers which accompany it, do not justify the long time of four months and two days expended in the work on these documents.

Its actual merit consists in the fact, that, in the abstract examination, it proves that the contract has been violated, and that it contains the authentic antecedents of the company, which furnish the proofs of the infraction.

I shall now analyize them with due attention:

The report numbers and explains the accompanying documents. In referring to the list of colonists, he uses the word "inscribed" to determine those who figure on sheet No. 1, represented as settlers. He spontaneously confesses to the confusion and omissions which appear in the work, laying the responsibility upon the Consuls and Inspectors for their part in the labor, affirming that several colonists have built more than one house. He styles as proprietors such as lack occupation, and asks that they be given another denomination should this one be not satisfactory. He cites Sheet No. 2, which registers the sales, to show that no one has acquired more than one hectare; he denies the existence of auxiliary companies associated with the International, for the sale of lands; he states that the stages have suspended their trips and the telegraphic lines have not been established, but that these services are not mentioned in the contract; he extolls the benefits conferred by the company on the neighborhood; he bewails the accusations formulated against it; and finally confesses the colonization of Cedar Island (Isla de Cedros) has not begun because formal possession has not been granted to the company.

Voucher No. 1 is a sheet marked with the following heading: "Colonists Established in the 'Carlos Pacheco' and 'M. Romero Rubio' Colonies."

This document contains a numbered list, but with a disordered enumeration, commencing with the number 24 and ending in 730, of the colonists, stating their names, age, nationality, houses they have built, their occupation and residences. My first impulse was to return to Ensenada to identify the parties mentioned on the sheet; but I saw (as soon as I commenced to review it, that it would be superfluous labor) and the execution of it would be equivalent to co-operating in the contempt that the agent of the company manifests towards the supreme Government, when submitting to its cognizance, facts notoriously false, which he authorizes by his signature. The total number of inscriptions amounts in this sheet to 872, but of these 66 names are withheld and are represented merely by commas on the lines to which they belong. Comparing the names on this list with those on the Government census, which is the only one which I trust, there are 73 names common to both lists. Hence there is an overplus of 164 in the census, which, had Mr. Bernstein wished to incorporate in his list, would give him a total of 1,119 individuals, and not 872, as he states. Of the 73 I have mentioned, the majority declared before the authorities that they renounced their character as colonists, so that I quote their number not for the purpose of considering them as such, but, because, as they have been made use of in the voucher, the figures contribute to bring out in relief the falseness of the statement wherein the company's agent makes use of their names.

It is not to be admitted that these inscriptions were made after the 31st of January, when the Government census was finished, because, in the first place, it is notorious that from that time up to date the population has diminished by one-third at least at "La Ensenada," and has almost disappeared at the other points mentioned in the Register. And, furthermore, because those names agree in the majority with those that appear in the archives I have already mentioned of Mr. Massac, and doubtless correspond to the inscriptions made out last year. Connecting these facts, the knowledge is obtained that a part of the population listed in the company's sheet is limited to individuals whose names have been extracted from an abundant well of inscriptions, an endless source of artificial production of colonists, wherein the deceit of the company and the mischievous or unconscious collusion of the inspectors has cooperated. As the matter stands, it is an evident fact that those persons mentioned have not the character attributed to them, nor do they even exist in the place mentioned. An examination of the list in which they figure shows that they are, for the greater part, employees of the company; some adventurers, without any determined purpose to settle, and a few others who, in good faith, solicited lots for cultivation, but not having obtained them, returned disheartened to the places whence they came.

I have said a part, and not all. As passing from the simple question of number to the identification of the parties, the fraud is much more perceptible. Examining the names inserted in this list, some are found of persons whose real character Mr. Bernstein could not ignore, considering they are prominent members of the International Company, which he represents. I refer to its attorney, Mr. Fitch, inscribed as a colonist, as well as his wife; Messrs. Hanbury & Garvey, whose immediate intervention in the affairs of the colonization scheme will be seen further on, and who have, as is well known, their residence in this city and county; Mr. Coffinan and family, who have been absent three months from the "Colonia Pacheco;" Mr. Massac, absent for the same time; Mr. Niderhoff, who has returned to his residence at Los Angeles; Mr. Hartson, banker at Napa, Alta-California; Mr. Lamadrid, who fills the position of Judge at Real del Castillo, and has charge of the telegraph office at the same place; eight children of General Agramonte, who reside at Salt Lake City; six children of Mr. Hanbury, and four children of Mr. Garvey, who reside in this city; Messrs. Parisi, Arzaga, and many others whom I have personally met here, ready to enter into other business; and, finally, Dr. Silva, Messrs. Silva, Morelos, Herrera, Perpich, Mora, Green, Davis, Parra, Santos, Lizardi, Vidal, Gastelum, Flores, Aviles, Pedrin, Berjes, Diaz, Fuentes, Gregorio, Gonzales, Vincente, Gonzales and Macias Hijo, whose names, registered in the list of colonists, manifest gross supplantation, as I have in my possession their petition, dated January 22d, and forwarded to Mr. Orozco and myself, complaining that, having gone at their own expense to the colony "Carlos Pacheco," they had, notwithstanding their endeavors, not been able to be installed as colonists by the company.

From the review of these facts, it is to be seen that the records exhibited by the company counteract its purpose. When I shall consider, further on, the distribution of lots and the grants of instruments and utensils, which are the complimentary conditions whereby an individual may consider himself a colonist, I shall prove that these requisites have also been disregarded; nor have the sales been made in the corresponding form. But, before proceeding, and in order to conclude the question at issue, I shall state that it is sufficient to consider the steps taken to understand that, agreeable to practice, the forms have been complied with, but the final results have been by no means insured, which is the objective point of the law and of the contract.

Instead of complying with the requisites called for in Article 6 of the law of December 15th of 1883 and Article 14 of the contract, the form has been covered by the issuance of a circular by the agents of the company, within and without the territory of the Republic, in favor of the petitioners, with which circular they present themselves to receive from the Inspectors or the Consuls, according to their respective cases, a certificate accrediting them as colonists about to establish themselves at some fixed point. The said circular substitutes the official notification called for by law, and guarantees the morality and aptitude of the petitioner, stating that his passage has been paid for by the company. The certificates of the Consuls or the Inspectors invest him with the prerogatives which he enjoys as a colonist, but as in the generality of the cases here mentioned the parties interested have brought themselves at their own expense, and have received from the company neither lots nor elements wherewith to work, the three sources of abuse which have vitiated the procedure that has been followed, and which is in reality but the shield to cover an infraction of the law, a falsehood and a supposition, must be shown up.

In order to understand to what degree the deceit has been carried on at this point, allow me to add that I have seen documents issued by the company to colonists, wherein printed forms are made use of, in which it is stated that they have been brought by the steamers of the Mexican Trans-Atlantic Co. I shall omit all comments upon the statement that the colonists have had to travel 12,000 miles to reach Lower California.

Reducing to concrete facts this deliberate confusion of names, numbers and places, it appears that there does not exist one colonist in whom all and each one of the circumstances specified by the law concur—viz.: The contract, the By-Laws, and the mutual obligations which ought to subsist between him and the company as the basis of their agreements. The list of agriculturists who really do exist embraces but a very few names. They are as follows: Charles Bennett, established in the Valle del Maneadero, close to the Port of Ensenada, and who may be mentioned as the type both of industry and honesty, and who at the same time manages the canned goods manufactory, a saw mill, and the water supply of the town; Messrs. Rubira and Kolsaat, established at the ranch of Del Velador; Mr. Reed and family, Mr. Craik and Colonel Oliver, at Punta Banda; Mr. Gleason, at San Carlos; Mr. Allen, at Coronita; and six or seven other agriculturists on small lots embraced within the limits of the Colonia Pacheco.

As a proof of the impartiality of this report I shall add, in order to excuse an oversight, doubtless, of Mr. Bernstein, the names of Messrs. Dickinson, H. J. Bridge, R. E. Bridge, Porters, Schuffers, Tonkin, Ward and Eveson, established in the Valle de San Rafael, and those of Messrs. J. Randall, Vice-President of the Development Company, Smith, Wasson, Warren and Fougard, domiciled up to date at San Quintin, where they bought small country and city real estates; and I note down these points because I have witnessed some of them, and because, incidentally, there came to inform me of the fact, at my own residence, on the 7th and 9th of May, Messrs. H. J. Bridge and James Randall, important members of this group.

The profound silence that Mr. Bernstein maintains in regard to the furnishing of tools, utensils and other necessaries for work to the colonists makes it unnecessary to bring forth any proofs that this duty has been completely overlooked.

Voucher No. 2, which Mr. Bernstein also sends, is a pamphlet with the following title: "Statement of Lots, and Prices of Same, Sold by the Mexican International Company."

In order to review this document, I must return to the dates on which I received from the Judge of the Primary Court and Inspector Valdespino the reports upon the same subject that I obtained from their offices, and which, from their nature, are such as should be compared with the company's, in order to determine the resemblance or dissimilarity of the accounts they embody.

On the 23d of January, Mr. Valdespino answered the communication that Mr. Orozco and myself sent to him on the 12th of the same month, and, limiting himself to the same subject, says: "In regard to the fulfillment of the engagement between the Mexican International Company and the Supreme Government, to give such colonists as might solicit them lands, utensils and tools for agricultural purposes, up to date I have no notice that any one has presented himself to the company, requesting them. I believe that if to anybody land has been given, the registered titles and the contracts formed ought to be found in the office of the Judge of the Primary Court of this district; but I am almost certain that up to this time no contract of this nature has been formed.

The Judge of the Primary Court answered my official letter of the 12th of January, to which I have already referred, on the 17th of the same month, accompanying the answer with a document bearing the title, "Report of the Transfers of Lands Made by the International Colonization Company of This Port."

In this document there appear but seven inscriptions in the record of public deeds. The first bears the date of the 6th of April, 1887, and the seventh the 2d of December of the same year. In the record of private contracts, there are 134 inscriptions, the first dated March 29, 1887, and the last dated January 16, 1888. Of the seven first mentioned, three relate to city lots in the "Pacheco Colony;" two of the same kind in the port of Ensenada, and the two last to country property, which are the Santa Rosa Ranch and one hundred acres of the Punta Banda Ranch. Of the deeds registered in the Record of Private Contracts, thirty-seven relate to lots in the "Carlos Pacheco" Colony, one at Punta Banda and the ninety-six remaining to Ensenada. Of the persons inscribed in these registers, sixteen appear in the Government census as colonists, and thirty-one in the company's list, so that in the first case one hundred and eighteen, and in the second one hundred and three, corresponding to transactions verified by private parties.

The comparison of the company's list with that of the Court differs but in one number, for when the sheets compared are the census and the company's list, there appear thirty individuals registered in the census as colonists, so that the remainder who complete the one hundred and forty-eight listed in the register cannot be considered in conformity with the data issued by the office itself, but, as I have said above, private parties.

I draw no parallel between the Court register and that of the company, because the latter assigns neither the date of the inscriptions, nor the location of the inscribed property, and it would be impossible to obtain any useful result from this discordant work. I consider it more to the point to consult Mr. Bernstein's text itself, which, referring to the subject, says:

"I also remit to you on Sheet No. 2 an account of the transfers made by this company, and should further add that no transfer has been made of any large territorial extension, and all refer to lots which do not measure over 100 meters each side, and no transfers of land have been made to any company whatever. Though distinct agencies are mentioned, these are all subordinate to the company, and have been established from reasons of order and economy, in order that each may take charge of determined sections only."

Disregarding in this passage the point relating to the extension of lots which have been sold and accepted, the number of colonists who, in conformity with the register of the company, have bought them, it is perfectly clear from the statement of Mr. Bernstein that from the date when the Mexican International Company commenced its colonization work, up to the 7th of May of this year, it has distributed thirty hectares to thirty colonists, or seventy-four and one-tenth acres of the 18,000,000 which it possesses in Lower California unconditionally.

According to this statement, notwithstanding that this conclusion is perfectly grounded, the objection might be made in favor of the company, that a far greater number of lots may have been distributed than those which appear in their authentic documents, but that the records do not show the same, as the law does not oblige the seller to execute the deed, nor does the purchaser require it, when the price of the real estate does not exceed a fixed sum. Such an hypothesis, acceptable in other circumstances, is altogether inadmissible in those which at present concur in the Territory of Lower California, where the disputes over titles of property are of so serious a character, and there is not a single sensible purchaser who would omit the specifications of the property he acquires in order to guarantee his ownership.

Mr. Bernstein possesses the proof of this, but he does not make use of it, for on the sheet which specifies the sales authorized by the company, Messrs. Hanbury & Carvey appear as the purchasers solely of Block 33, of one lot in Block 92, two in 39, one in 36 and one in

8, whereas, from the inscription of the public register, which I have in my possession since the 23d of January last, it appears that the said gentlemen recorded, from the 10th of October to the 8th of December, 1887, besides the lots mentioned, the following lots: eight lots in Block 7, one in 71, three in 102, five in 103, two in 90, eight in 109, one in 199, three in 9, one in 8, one in 91, one in 93, three in 101, three in 104, one in 109, eight in 110, one in 118, four in 119, three in 111 and one in 92, in the town of Ensenada.

Now, it is understood that it is discretionary with the purchaser to record or not the deed to the property he acquires; but it is altogether absurd to suppose that a record of a sale that has not actually taken place would be registered in the public register, inasmuch as the inscription is an act subsequent to the exhibition of the title. If, therefore, Messrs. Hanbury & Garvey bought of the International Company the fifty-eight lots which are recorded in the account sent by the Judge of the Primary Court, and exhibited the deeds which caused the inscription, why is it that the agent of the company does not enter the transaction in his memorandum?

The conjecture that this company has omitted the entry of some of its transactions becomes an evidence, with the above light thrown on the facts; but the favorable construction that might be put upon the fault by supposing it to have been committed through an oversight, and that the obedience to the balance of the conditions imposed by the contract had been satisfied, the principal proof that the agent should have rendered is altogether destroyed by the examination of other examples still, furnished by the official documents which I am analyzing.

The report from the Court I have so often quoted throws more light upon the subject of these infractions. On the 29th of November, 1887, Messrs. Wetmore & Fitch recorded in the public register the deed of the Rancho Santa Rosa, which the International Company sold to them, and which has an extension of 26,834 acres, 10,744 hectares, and for which they paid $6,658 36. The testimony that I have since acquired from the civil engineer, Mr. Denton, who made the survey and valuation, informs me that its value is over $130,000; but it is not my intention to point out for the present the disguising of its true value, but to prove that the transfer made to two individuals only, of real estate of such an extension, six times greater than permitted, implies an infraction of Article 21 of the organic law of colonization and of Article 10 of the contract.

This disproportionate sale brings forward, without any effort, the consideration of the reverse. It is to be seen, then, that the contract has been violated, not only from excess, as in the case of Messrs. Wetmore & Fitch, but also from insufficiency, as in the case of the sales made to the thirty colonists furnished with land by the company, who have received, as Mr. Bernstein directly affirms, one hectare as a maximum, instead of fifteen as a minimum, which is the portion expressed according to Article 13 of the contract.

Before passing on to the examination of the prices brought by these sales, the opportunity presents itself to quote the third document which the company remits among its vouchers, not because the study of it can contribute anything relative to the location and extension of the lots wherein it might be of some service if it were properly made out, but because, if it be not considered now, any reference to it hereafter in this report would be extemporaneous and irrelevant. This voucher is reduced to a tracing of a plan without a scale, signature or date, with this peculiar title, "Map of Ensenada, Carlos Pacheco Colony, Lower California, for the International Company." Referring to this map, in his report, Mr. Bernstein says: "By the accompanying plan, which I send, you will see that the number of houses built, and the different blocks in which they are situated, are marked in red."

Following this indication, I indeed examined the plan, and find that in it are missing Blocks 28, 35, 36, 37, 38 and 45, something truly surprising, inasmuch as in Block 28 Mr. Bernstein himself owns lots Nos. 1 and 2, which he recorded on the 8th of December last. In Block 36, also, Mr. A. R. Ochmich appears as owner of Lots 3 and 4, recorded on the 19th of June, 1887; on Block 38, Mr. W. A. Henry, of Lots 3 and 4, which also are registered on the 6th of December, 1887. And as these are also mentioned in the report signed by Mr. Bernstein, it is evident that either the map or the register has been altered; but whichever it be, the responsibility rests with the company that authorizes them.

I have yet to point out another error, not of thought, but of deed. The red points which are supposed to represent houses number 301 on the map, and on the Government census there are but 231 mentioned; I personally verified the number. Now, supposing for one moment that the difference in figures relating to persons may be explained by the absence or departure of some of the colonists who were at some time inscribed, but disappeared afterwards, this indulgent construction cannot be extended to the present case; the colonists may be migratory, but not so the real estate. How, then, can it be shown, unless by some disaster, that the difference of seventy houses, made by Mr. Bernstein to figure on his plan, have disappeared?

Bringing the mind to bear upon the point touching the prices brought by the sales, and comparing the figures in the documents of the company and of the Court, which for the first time agree, it is seen that the prices fluctuate between $20 and $400 per lot. Some are put down at $50, the major part at an average of $100, others at $100, $200, $250, and so on.

The extent of each lot, though not the same as manifested in the company's report, is 1,250 square meters, or the eighth part of a hectare, inasmuch as there are eight lots in each block of 100 meters each side of the perimeter. Hence the prices per hectare are $160, $400, $800, $1,200, $2,000 and $4,000. In the Romero Rubio Colony, the advertisements of the company's lots vary in price for city lots from $40 to $750 an acre. Land in the adjacent valley was offered at $25 for the same extent. I have seen deeds of sale at that colony and at San Rafael, which show that the prices obtained at those places reached $5,000 an hectare for the city lots in the first mentioned place, and $56 for the arable lands situated at San Rafael.

It is really mortifying to me to have to censure details so insignificant. The company might and ought to adapt itself to the legal forms, in order to avoid censure.

Comparing the prices attributed to certain real estate, it is seen that Block No. 33, which is the best situated in the town of Ensenada, was sold to Messrs. Hanbury & Garvey for the sum of $1, while Block 80, away from the center, was sold to Mr. Ryerson for $400, and the balance of the lots in general are rated at high prices. This enormous difference can only be explained in one of two ways; either the operation is hypothetical, and a false entry has been made in the register, or the company unlawfully makes use of its property to obtain the good will of its favored associates.

When considering only the rated value of the property, a favorable impression is produced, which wears off when all the facts are considered. It is then seen that these facts do not point to a prosperity founded on a solid basis, but are the ephemeral results of a false speculation, the impetus of which has been paralyzed already, owing to lack of vitality.

The considerations to which this subject lends itself no longer belong to the special subject of the distribution of lots to colonists, and to which subject I have at present restricted myself, and with which the real position taken by the company has deliberately sought to be confounded. This position I now analyze, giving to it its true name:

"TRANSFERS OF LAND OF GREAT EXTENT BY THE INTERNATIONAL COLONIZATION COMPANY."

The silence kept by the agent of the company up to the time of the late remission of his report upon all points concerning the obligations mentioned in the contract prevented my receiving from that source, until the 17th of this month, any clear account regarding the sale of lands effected by the company in its own name, and through the medium of auxiliary companies.

It will be seen by the reports I have already discussed and analyzed in detail, to what these reports amount; but I should assume a very great responsibility, were I to limit myself to transmitting to your department these insufficient and adulterated data, without adding thereto the results of the investigations which I have made through other channels, and which I ought not to omit, in order to convey a thorough knowlege of the subject.

From the first days of my stay at Ensenada, I obtained the information that the sale of lands was intrusted to several auxiliary companies, whose dependency or freedom of control of the principal company it was impossible to determine, unless the latter furnished the necessary clue. Besides the office of the company in the town, there were those of Hanbury & Garvey, who were styled their general agents, that of the Colony of San Rafael and that of San Carlos. There were, besides, other offices of private agents, as, for instance, those of H. H. Douglass and of Curtiss & Hall, in which purchases and sales of lands were effected.

Trusting in good faith to receive the reports of the company, I allowed some time to elapse, when, towards the middle of the month of January, I became aware, through the San Diego (California) press, of the disagreement between the company and its said agents, Hanbury & Garvey. I followed with due interest every incident in connection with this suit, and when in March I returned from St. Rosalia, as I have already mentioned at the beginning of this report, I completed the collection of facts I desired upon the subject. The senseless and obstinate manner in which the company persists in denying the evidence of accomplished facts authorizes me to base my criticism upon the subject from information I have received from other sources, which are advantageous substitutes for their own, as they are impartial and proceed from authorized quarters, allowing me to fully understand the nature of the contract drawn up between them and their agents, the mechanism of their operations and the conditions agreed upon in the contract. I have at hand ninety paragraphs taken from newspapers of San Diego, Los Angeles, San Francisco, St. Louis and other places, which testify to declarations made spontaneously or in answer to special interrogations put to the employees, agents and attorneys of both parties in litigation; and in the columns of which there appeared the contract and the final demands handed to the Court of this county, in order to initiate and carry on the double suit instituted by the company and its agents for the defense of their respective rights. I shall now draw from these extracts the parts conducive to my purpose, which is no other than to demonstrate that the transactions of the company do not correspond to the purposes of the contract—show that it has been completely perverted.

The disagreement to which I now allude was made known to the public by the judicial demand that Mr. Freeman, the Treasurer of the International Company, instituted against Messrs. Hanbury & Garvey for the sum of $100,250 45, which he stated that they had received to improve the business. Messrs. Hanbury & Garvey, in their turn, claimed $590,502 29, which was due them for commissions to which they were entitled for sale of lands. The mutual recriminations they cast upon each other, during the preliminaries and in the course of the suit, and the secrets brought to light by these recriminations being divulged, furnished sufficient material to certify as to the character of the purposes that had bound both bodies together before the chain was broken.

The primary object of the organic law of colonization in force being the same in text and spirit as the contract signed on the 21st of July, 1884, with Mr. Luis Huller and associates, now represented by the International Company of Mexico, viz., the successful establishment of colonists on lands ceded to the Government for the purpose, in order to effect the division and promote the progress of landed property. The important fact to be discovered is whether, in the contracts agreed to by corporations, which the company itself calls agencies, and which corporation the public and law defines as true companies, had been careful to secure that object.

From the testimony of the proofs brought forth, your department may be convinced that this fundamental principle of the contract between the Government and the company has been altogether slighted, and that the only interests that were sought to be protected were those of the contracting parties.

The substance of the contract signed August 10, 1887, by the company and Messrs. Hanbury & Garvey, which from necessity was made public in order to establish the claim, constitutes these gentlemen exclusive agents of the company for the sale of all the lands it possesses in Lower California for the term of five years, and stipulates for the payment of a commission of ten per cent. of the value of all sales effected either through or independently of their agency. It recites in several clauses the mutual obligations of the contracting parties, but it altogether omits those which purchasers ought to assume by virtue of the primordial contract between the company, the legal source from whence all subsequent transactions should emanate.

It is easy to perceive that the result sought is extremely doubtful, when the prerogatives, and not the obligations mentioned in the original contract, be transmitted, in substitution of faculties implied by these secondary covenants. The defense of these irregularities, which virtually annul the contract, by the company's agent, is based upon the negation of self-evident facts, attested by several persons as worthy of credence as himself.

It would be impossible to follow, step by step, the different changes that transpired in this brief but noisy suit, but by considering the most important testimony, the proofs sought for are easily obtained, as one of the primary causes that Mr. Hanbury states as impelling the company to exact from his firm the amount which it pretends is due to it, is the evil influence which lawyer Fitch wields in it, and whose enmity is explained by the disdain with which Hanbury received the proposition that he (Fitch) should take the place of Garvey in the agency, bringing into the business the elements which he controls in the Combination Land Company (Fitch & Howard).

Mr. Hanbury says, and as agent he ought to know whereof he speaks, that this company had made a contract, in August, 1887, with the International Company, to purchase the valley of San Rafael, which purchase was not effected, as the amount was not paid up within the stipulated time (San Diego *Union*, Jan. 1, 1888.)

Mr. Fuller, an equally competent authority, insomuch as he is another attorney for the International Company, states that the San Quentin Land and Town Company was formed by the purchase of 200,000 acres of the International Company's land at San Quentin, including that part designed for the city. He said that it had no direct connection with the International, but it was hoped that it would be benefited by a syndicate of which Hanbury was a member. Further, adding that the San Quentin Development Company was formed by Hanbury for the purpose of handling it independently of the Land and Town Company, this Development Company that built the houses at San Quintin and made some other improvements, made payments partly in lots, leaving to the Land and Town Company the payment of the cash debts.

Mr. Fuller further adds that the real project of Hanbury in substance, was reduced to the organization, on paper, of a corporation to sell the right to purchase lands for the value of $1,600,000, charging therefor $160,000 brokerage, this being the system which he had adopted in order to justify the half a million he demands from the company.—*San Diego Bee, January* 18, 1888.

The *Union*, dated January 31, published the draft presented by the attorneys of the firm of Hanbury & Garvey, demanding of the company the payment of its commissions, accompanying the same with a complete copy of the contract and the following statement of account:

The International Company of Mexico to Hanbury & Garvey,	Dr.
July 31, 1887, cash for Sisson's expenses	$ 3,000 00
August 23, 1887, commissions due from May 14	6,382 70
September 30, 1887, commissions due from July 31	4,491 70
October 31, 1887, commissions due from September 30	6,526 80
November 30, 1887, commissions due from October 31	4,202 47
December 31, 1887, commissions due from November 30	402 40
Commission on sales to G. M. Hatfield	300 00
Commission on sales to A. C. Romandez	600 00
Commission on sales from January 1	40 00
Commission on sales from Valley De San Rafael	100,000 00
Commission on sales from San Quentin	160,000 00
Commission on sales from Cape Colnet	125,000 00
Commission on sales from Las Palmas	80,000 00
Commissions on sales from Syndicate Macrae	7,000 00
Commission on sales from Adams & Son	10,000 00
Commission on sales from San Isidro	75,000 00
Commission on sales from Punta Banda	2,000 00
Commission on sales from Santa Tomas	34,000 00
Deducting $672 80, Cargill et al. Total	$590,502 27

The company endeavored at once to non-suit the plaintiffs, stating that it had no legal representative nor abode in this city, and that the validity of the contract was disputable, as it was drawn up in Mexican territory and subscribed to by Major Sisson alone and not the whole Hartford Syndicate. Mr. Fitch furthermore repudiated some of the entries of the balance sheet, as he says that they refer to sales initiated but not consummated, or that it had been transacted entirely through the International Company, quoting the case of the Valley of San Rafael as an example.—*San Diego Bee, Feb. 5, and San Diego Sun, Feb.* 6, 1888.

Many and varied were the incidents brought out during the course of the suit; but from the whole there springs the knowledge that Messrs. Hanbury & Garvey were simply the agents of the International Company, while the other companies acted independently. The sale of the large extensions of land is also a fact, the proof whereof is found in the San Quintin case, in which transaction $150,000 in cash was received as a first installment.

The San Diego *Bee* publishes the telegram sent from New York by the President of the syndicate, Mr. Wells, and by Mr. Hanbury, announcing their reconciliation, adding that according to the terms of the new agreement Messrs. Hanbury & Garvey will continue to sell land, although on conditions varying from those of the original contract.

The declarations of these witnesses, as will be seen, both in the quarrel and in the reconcilation, are far from coinciding with those which Mr. Bernstein mentions in his report. In the textual copy I have made from one of his paragraphs, in order to give the lie to his statements relative to the sale of lots of minor extensions to colonists, he says:

1st. That no transfers of large extension of land had been made, and,

2d. That no transactions had been made through the intervention of other companies than the International.

I believe that in view of the testimony this statement is overthrown, as Messrs. Fitch and Fuller, the company's attorneys, and Messrs. Hanbury & Garvey have shown by the arguments in their defense that the following companies existed: The International Land and Town Company, the Development Company, the San Rafael Valley Company, and I make no mention up to this time of the San Carlos and Punta Banda incorporations that Mr. Massac mentions in his report of November 3, 1887, as I have determined to make as little use as possible of that worthless document in my report.

That these incorporations were really companies and not agencies, as the representative of the company pretends to state, is an incontestable fact, because, in the first place, if names are used for the purpose of determining the persons or things to which they are applied, it is perfectly clear that they ought to be so considered whenever introduced under that title, and not as agencies as they are ingeniously called; and furthermore, as in their functional mechanism made clearly manifest in the suit described, it is to be seen that they have proposed, performed and completed operations on their own account.

Said companies never have denied their independent action, and if the International Company expressed in its protest, published upon the subject, that it alone had the right to sell the lands and collect their value, it is not for the purpose of disputing this dependency of the others, nor because it bears in mind the obligations which it had contracted with the Government in this regard, but as a measure of private convenience which proves the foresight and caution it exercises to preserve its interests. Besides these sure proofs, but indirect, so to say, I have applied to the public register of this county which is the authentic source whence the most convincing facts are to be obtained. And in truth, I found incorporated therein the San Quintin Land and Town Company, under date of September 14, 1887; the South San Quintin and Water Company, better known by the title of the Macrae Syndicate, dated the 9th of November, of the same year; the San Rafael Valley Colony Company, the 5th of December, of the same year; the Southern and Lower California Land Investment Company, the 13th of December of the same year, and the Development Company of San Quintin, the 24th of September of the same year. The first one figures with a capital of $5,000,000, the second with $500,000, the third $3,000,000, the fourth with $1,000,000, and the last for the same amount.

All these companies are legally domiciled in the city of San Diego, and are constituted agreeable to the laws of the State of California. In their prospectus, their business names, objects, residence, duration, regimen and social capital, are mentioned in detail. In article second, wherein each defines its object, it is stated that it is for the purpose of buying, selling, transferring, leasing, mortgaging, cultivating and improving the lands of lower California. In the San Quintin Land and Town Co. prospectus there is added the colonization between the parallels 29 deg. and 32 deg. 42 min., which if true would imply in accordance with article 26 of the contract nothing less than forfeiture, since it would be equivalent to a transfer of the grant to another company, without the previous consent of the Government; in the Southern and Lower California Co. these same purposes are extended to the advancement of agriculture, manufacturing and mining industries, viticulture and the breeding of different kinds of stock.

The San Quintin Land and Water Co. proposes, as is naturally suggested by the name, besides the foregoing, to construct dams and acqueducts, lay piping and all the other requisites of hydraulic work; and in the circular of the San Rafael Valley Co. are mentioned the making of roads and ditches and the establishment of factories, warehouses and stores.

In none of the vast programmes embraced in these documents is found any mention of the connection of the company from which they emanate, with the Mexican International, whose name is passed over in complete silence. These associations consequently represent their own rights and the irrefragable testimony drawn from the conclusion denies the affirmations made by Mr. Bernstein in his report and by. Mr. Huller in his communication on the 8th of Decemcer last to your department, in which he affirmed that he had not transgressed in any point whatever the conditions of the contract, the want of observance of which nevertheless is made patent by the facts mentioned.

But their course, whether dependent or independent, is not shaped toward the effectual colonization of the occupied lands, as is unblushingly stated, and this abuse I consequently denounce, as I have seen the contracts which some of the companies have signed with the purchasers of greater or less extension of lands, and the only clause stipulated is the mutual obligation of the contracting parties, viz.: the interest upon unpaid principals and the limit of time fixed to liquidate the same, which varies from one to five years, and I wish to call attention to this point, for later on I shall point out the grave signification of this circumstance. As complementary to this subject, I shall add that as all these documents have been drafted in the city of San Diego, where these companies who draw them up have their legal domiciles, they lack the stamps, and consequently the exchequer has been defrauded of the amount equivalent to these dues, from which neither the company nor the auxiliary companies nor the agencies are exempt according to the tenor of Article 15 of the contract, concording with Articles 7 and 25 of the Law of Colonization now in force.

So much for what relates to the sales made from the standpoint of the parties who executed the same, and the extent of the estates transferred; but, however favorable the judgment passed on the company, in view of the open infractions committed in the matter, as is made patent by the foregoing facts, it can never be severe enough compared with those judgments it deserves for its abuses, illegalities and outrages and for the manner of effecting the occupation and sale of the properties it has acquired. The examination of this subject requires that I should give your department a detailed account of the doings in regard to the

OCCUPATION OF LANDS IN THE TERRITORY OF LOWER CALIFORNIA, IN THE ZONE GRANTED TO THE INTERNATIONAL COMPANY OF MEXICO.

The demarcation of vacant lands and the colonization in the north of Lower California owe their origin to the contracts the Supreme Government signed on the 17th of April, 1883, with Messrs. Telesfaro, Garcia & Co., and on the 21st of July, 1884, with Messrs. Luis Huller & Co. In order to make the first one valid, on the 17th of June, 1883, lawyer Jose Ma. Gandara, attorney for Garcia and associate, made a petition to the District Judge of Lower California, who at that time resided at La Paz, requesting that he (the Judge) should order the Judge of the Primary Court of Lower California to authorize the operations referring to the measurement.

Agreeable to this petition and in compliance with the order of the District Judge to the Judge of the Primary Court, the latter ordered Gandara to appear and name the expert who should undertake the operation of the measurement. The civil engineer, Ismael Sanchez, previously citing adjacent property holders, began the measurement at a place situated in the Canyon de San Carlos, at a short distance from Ensenada. On the 5th of July Gandara petitioned the Judge of this Primary Court to commission the local Judge to authorize the measurement in order to facilitate them. The Judge, after consulting with his superior, issued his decree of conformity on the 16th of the same month. Up to the 7th of July, when these writs were returned to the District Court of La Paz, the acknowledgement of which was made on the day mentioned. The engineer Sanchez had measured 10,000 hectares, and in the document of that court no other evidence of this operation is to be found until the 16th of January, 1886, when the engineer William Denton remitted the plan of the whole zone. The only document relating to the whole matter is a communication which the Department of Public Works sent to the District Court on the 22d of September, 1884, in which it gives the court notice that the Government has granted to the company an extension of eighteen months' time to conclude the measurement. It appear sthat at about this date Garcia had already transferred his contract to Huller & Co., and that these operations were being carried on at their expense.

On the 2d of November, 1885, Luis Huller sent in a petition to the District Judge, lawyer Lauro Saurez Torrenz, praying that the owners of lands in the district be cited in order to proceed with the measurement. The Judge issued a writ of conformity on the same date, and published the following decree, the transcription of which I consider an absolute necessity. It says:

"On this day the citizen Luis Huller, in representation of Messrs. Telesforo, Garcia & Co., who are authorized by the Government to measure and colonize unappropriated lands in this Northern District, from the 29th degree of latitude up to the frontier line of the United States, has presented a petition praying that the several land owners and holders of adjacent properties and adjoining the lands granted by his constituents, be formally cited to appear, in order that said citation may have legal effect in the proceedings about to be verified of measuring and bounding the lands embraced in the respective grant to which petition on this same date a writ has been issued by the District Judge, in which he orders edicts to be published in this place and in the towns of Tecate, Tia Juana and Real del Castillo, so that *within the term of fifteen days, those who believe themselves entitled to the lands about to be surveyed appear before this Court,* instructing them that in case of failure to appear the law will take its course, accruing to their own responsibility such damage as circumstances may give rise to.

"In compliance with the said writ this edict has been made for the legal effects above mentioned.

"PORT OF ENSENADA DE TODOS SANTOS, November 2, 1885.
"(Signed.) SUAREZ TORRENZ.
"(Signed.) CABALLERO."

The turpitude of this document will appear in all its enormity when comparing with it the one which serves as its complement, which is the writ accrediting the survey, and which I shall soon insert. For the present I shall limit myself to the observation that the time conceded to the property-owners to appear at the Court to prove their rights was too short, above all on account of the well-known lack of roads in Lower California, all of which is equivalent to the premeditated mockery of these same rights. On the 3d of November the edict was published at Ensenada, and besides being sent to the places mentioned therein, it was forwarded to Santo Tomas and San Telmo. The Justice of the Peace at Tecate acknowledged the receipt of this document on the 12th of the same month, those of Real del Castello, Tijuana and San Thomas on the 13th, and on the 14th from San Telmo.

On the 16th the Court began to receive the title deeds exhibited for their registration. From the original documents, the copies of which I hold, and do not reproduce in full, making but an extract, in order that this report may not be too diffuse, it appears that during the month of November, 72 holders of the different settlements of the district appeared; 23 figure as the small holdings which the neighbors of Santa Thomas enjoy from the common property of the township, and of the balance, that is to say, the greater part, are connected with titles issued in the year 1879, and the rest follow in descending scale, corresponding to the years 1877, 1880, 1878, 1881, 1870, 1859, and one title (rather doubtful) of the year 1839.

Mr. Max Bernstein, whose responsibility as representative of this company was acknowledged by the power of attorney that he had shown and registered on the 19th of November, appeared on the 23d of the same month before the Court, praying that the title to the ownership of eleven "sitios," situated in the Valle de la Palmas, "be declared null and void," insomuch as Messrs. Altamirano and Villarino had not complied with the provisions of the law of the 14th of March, 1861.

The Court ordered the matter to be consulted at the Department of Public Works in the same manner as had been done already in regard to the titles of the ex-mission of Guadalupe and Los Olivos, basing its opinion upon the doubt that, as the first mentioned place being situated 16 leagues from the frontier line, whether its possession by Mr. F. Flower, a naturalized Mexican, be legal.

On the 15th of December of the same year, 1885, the Court requested from the Commissioner for the Revalidation of Lands

(Comision Reivindicadora de Terrenos) a statement of such as had returned to the Government and of such as were held legitimately by private parties. Said account was returned on the 24th of the same month by Mr. Maximino Barragan, showing that, from not having complied with the requisites of Article 10 of the laws of July 22, 1863, the Government had recovered those lands which had been listed in the Official Gazette of "La Paz" on the 17th of November last. He thereto adds another list of 53 persons, of whom 34 had not lost their titles to their having complied with the said law and the 19 remaining have their titles under revision. Comparing the names of the list furnished by Mr. Barragan with those of the 32 who had registered at Court, it is seen that the major part coincide.

On the 3d of January, 1886, the Judge of Santa Tomas ordered the survey of eight small properties situated within the demarcation, which was done by Mr. William Denton, who, a few days afterwards, that is, on the 16th of the same month, appeared before the District Judge and delivered, with due formalities of law, four plans and four reports, in duplicate, with the calculations relative to the survey. The Court doubtless remitted to the Department of Public Works the originals of these documents, keeping the copies, for in the acknowledgement of the receipt made by the Department on the 4th of the following March, it stated that it was expecting the duplicates of the plans and of the reports.

The document which accredits the survey is of the following tenor:

"Ensenada de Todos Santos, January 18th, 1886.

"In view of the present operation of survey and establishment of limits, made and done in virtue of the contracts with the Department of Public Works and Messrs. Luis Huller & Co., relative to the vacant lands embraced within the parallels 29 degs. and 32 degs. 41 min. north latitude.

"In view of the plans and reports presented by the engineer, Mr. William Denton, and the protestations and confirmations sworn to by the said gentlemen, and considering that with the exception of the lands named, 'El Aguajito, El Gallo, Boca de la Playa, Los Alamos, San Salvador, Mactajamal, Las Animas, Agua Escondida, Santa Clara, Los Vallecitos, Soledad de la Grulla, Cañada de San Isidro, San Ramon, La Huerta, Cañada de San Rafael Bajo, Carrisito, Cueros de Venado, El Rosario, Cañada de San Jacinto, Arroyo de San Rafael, La Calentura, Las Flores, Alamo Bonito, Santo Domingo, San Antonio de los Buenos, Sangre de Cristo, San Antonio de las Minas, Tijuana, Matamuco, and the lands situated in the colony of Tecate, of the citizens Loreto Alvarez, Jesus Demara, Ramon Sanchez, Juande Dios Ortega, Timoteo Ortega, Jose Gracia Felix, Pablo B. Ortega, Jesus Felix, Francisco Aldama and Antonio Romo, which are private property, and the lands named Rancho Viejo, Suazal de Camacho, La Laguna, La Manzanita, Los Sauces, Tacumbo, Burke, S. Wells, La Raja Dura, Margenes del Rio Colorado, Aguaje de Italia Segun Sus Linderos, Mesa del Descanso, Los Pocitos y el Gato, San Pedro Martir, Paredon Colorado, Punta Banda, Huecos y Baldios, Los Buenos, Huecos y Baldios, El Tigre, and Valle de la Trinidad, which have been declared as belonging to the Government by the Revalidating Commission, and those of Guadalupe, San Vicente, Valle de las Palmos and the ex-Mission del Descanso, which appear as of doubtful proprietorship, all the balance being vacant according to the calculations presented, this Court should approve, as it does approve, the said surveys, ordering that a copy of the same be remitted to the Department of Public Works. The District Judge decreed and signed the same.

" (Signed.) LAURO SUAREZ TORRENZ.
" (Signed.) CABALLERO."

Comparing the dates of this document, from the conclusions of which it appears that each and every one of the properties has been surveyed, and from the edict calling upon proprietors to deduce their rights before the commencement of the technical operations, one is brought to the portentious conclusion that in the space of two months and a half the surveying, staking of limits and separating into fractional parts of a zone of more than 3,000 square leagues of surface has been completed. But, before discussing and critictzing this detail, I have to make some important remarks.

The properties protected by perfect titles, according to the foregoing writ, are 29 in number; of these only 23 are found out of the 72 registered in the Court, which, as I have stated, agree in their major part with the 53 of Mr. Barragan's list. There remain six corresponding to the holdings named, El Aguajito, El Gallo, Lapuerta, Arroyo de San Rafael, Alamo Bonito and Matamuco, of which there is no mention, and consequently it is only understood that they are consigned into that group from special proof verified by the magistrate who made the investigation. But this variation is inexplicable in the case regarding those, which in this same decree are declared to be national property, for in the report the Court obtained from the above-mentioned Mr. Barragan, this gentleman clearly stated Punta Banda de Saenz, Punta Banda de J. Felix, La Trinidad, el Gato, Mesa del Descanso, Los Pocitos, Sauzal de Camacho, Paredon Colorado, Aguajede Italia, San Pedro Martir, Huecos y Baldios, Tacumbo el Tigre and Los Buenos were in the hands of the Revalidating Committee, and should therefore not be authoritatively declared national property by the Court.

The arbitrary character of these determinations is but the corrollary to the illegality in the manner of procedure, the validity whereof is null, inasmuch as the essential circumstances marked out by the law and the circulars issued by the Department of Public Works for the guidance of the Federal Judges upon the subject have been omitted.

In the communication I received on the 14th of May last from Lawyer Reyes Spindola, at present Second District Judge of Lower California, to which I have already referred at the commencement of this report, I read the following:

The right to colonize Lower California being transferred from Señor Telesforo Garcia, who acquired the same, to Mr. Louis Hüller & Co., the survey was begun on January 3, 1886, commencing at the town of Santa Tomas, on the estate of Señora Dolores Acevedo and D. Francisco Sarabia, continuing the same on the fifth day of the same month, in the same township, on the property of Loreto Amador and Fco. Amador, Luis Aguilar and Jesus Mendoza, and the limits of the said township having been determined on the 7th of said month, the Court having been constituted at the Rancho de Dolores, the survey of the property of Fco. Duboux was undertaken, and on the 8th the survey was made of the property of Ludovina Cota de Blanco. And this has been the extent of the operation of measuring and surveying of the vacant lands granted to the Dn. Luis Hüller Company, because to base a sentence of the Judge Suarez Torrens has been enough in controvention of the law, which prevents the presence of the Judge at the place where the survey is verified, a report of the Engineer, Mr. Denton, was presented to the Court upon the 16th of January, 1888.

The sentence, or rather the declaration which I quote was given January 18, 1886, and therewith end the operations of the survey, which I consider altogether illegal."

Citizen Judge Spindola added that the suits begun by some persons who claim the restoration of the land property usurped by the company, being still on file, he is prohibited from making public his opinion in regard to the questions I allowed myself to submit to him for that purpose. Respecting, as in duty bound, his reserve, I now pass on to state the cases which gave rise to my questions, because the desires manifested by the complainants are that they be put before the Supreme Government, as they state in the petitions which they have forwarded to me, which I extract and include among the vouchers.

Ramon A. Rodriguez, in representation of Santa na Saenz, applied on the 10th of August, 1886, to the District Judge of Ensenada, praying the Court to grant him possession of Rancho de Punta Banda, in virtue of the declaration of the Department of Public Works, after a special consultation made to it, that it was not subject to be recovered by the nation—*no estaba sujeto a reivindicacion.* The agent remitted this declaration, together with title deeds, in order to record the same.

The Court returned no answer to this petition, nor to the one that was sent by D. Francisco Rouguet, agent for Da Ramona Saenz, coheir with Santana. The Judge, nevertheless, was guilty of the singular perfidy to issue against the said Rouguet an order of detention on the 7th of May to oblige him to remain at Ensenada, thus preventing him from returning to the place where, with all impunity, the rights of his client were being trampled upon.

Finally, D. Timoteo Ruiz de Esparza, the successor of Rodriguez as representative of Santa na Saenz, applied again to the Court on the 3d of September, 1887, demanding the return of the title deeds and other annexed documents which the former agent had not been able to obtain, and to his petition the following answer was sent:

"To the petition presented by D. Santana Saenz, dated the 3d of this month, asking for the return of title and ratification deeds of the Rancho de Punta Banda, the following writ has been issued, which textually says:

"TODOS SANTOS, September 10, 1887.

"The property named 'La Punta Banda de les Saenz,' which, having been revalidated, is returned to the tenure of the nation, has been sold by the Supreme Government, and the title to the same issued to the International Colonization Company of Mexico, and legal possession thereof granted to it, there exists no cause for the return of the title deeds and annexed docuuments presented by the petitioner, and which have been kept by this Court.

"The District Judge so declared and signed.

"(Signed.) SUAREZ TORRENS,
"A. RUBRIC.
"(Signed.) M. CABALLERO,
"A. RUBRIC.

"A true copy, which I certify. Todos Santos, Sept. 10, 1887.
"(Signed.) CABALLERO."

Victoriano Warner and seven brothers inherited from their father, Thomas Warner, the ranch named the "Valley de la Trinidad," which he acquired and possessed agreeable to a title granted by the President of the Republic, B. Juarez. While the Commissioner, C. Maximino Barragan, was pursuing his investigation for revalidation—return of lands to the power of the Government—the legitimacy of this title was questioned, it being supposed that it had not been inhabited for sufficient length of time, as demanded by the laws in reference thereto.

The point being submitted to the supreme government for consultation, it was answered favorably to the Warner family, declaring in 1886 that it was not subject to revalidation.

Nevertheless the District Judge cited Warner, residing at Ensenada, from Real del Castillo, for the service of a legal process. The latter appeared at the place of citation but the Judge had left for the "Valle de la Trinidad," where Warner followed him, and found him occupied in giving possession of his property to Major Sisson, the latter accompanied by two Americans unknown to him. The Judge was also accompanied by Mr. Caballero, Secretary of the Court, who would take no note of the protest that Warner formulated against the proceedings in which he was engaged and which he will opportunely prove by the testimouy of other persons who witnessed the Act.

So demoralized was Warner by this outrage, which he was given to understand would pass with impunity, as the occupation of these lands by the company was a decision from a superior and inappellate source, he determined to submit to the propositions that were made to him by Mr. Sisson for the cession of his property, to which he consented without, however, being able to collect the $8,000 agreed upon to adjust the transfer, when the time for the payment came due. The posterior incidents have entered the Courts of law, and are consequently foreign to this report. But, subjecting the principle of the proceeding to clear criticism, the abuse committed by the principal representative of the company and the partiality, not to say the infidelity of the authority who sanctioned it, spring to light simultaneously and in all their grossness. If the rights of the company to this estate were well founded, what necessity was there for remunerating Warner for the abandonment of a property which he did not occupy with a legal title? And the magistrate who turned a deaf ear to the protests of the despoiled owner, how is he to explain his non-attendance at the place of citation, the extreme hurry of his proceedings, and his compliant help in consummating the wrong?

This suspicion, so difficult to overcome immediately after the event which gave rise to it, gathered greater strength from the repetition of a similar case which occurred a few months later.

The Judge had noted down in the documentary evidence of the legal proceedings of the company, that possession of the Valle de las Palmas, which it demanded in November, 1885, had not been granted; for it was found that this holding was situated within the zone of prohibition of the frontier, and he ignored whether he could legally adjudicate the same. But, in spite of the fact that no proof exists of any answer to the consultation made in regard to the matter above mentioned, the Judge granted possession of this holding to the company in December, 1887, making use of the same tactics employed against Warner, and I am assured of this fact, for my arrival at La Ensenada coincides with these doings and the bitter comments they excited reached my ears.

On the 24th of April last, citizen Francisco Rodriquez forwarded me the voucher of a complaint versing upon another retention of documents. In it he states that having returned to his country after the war of 1847, he claimed by denouncement a portion of land 2500 hectares, known as the "Bajio Largo," which he has held and cultivated since the year 1878, and measurement and survey was made by the engineer Ismael Sanchez in May, 1885, as proved by the plan in his possession.

By making constant exertions for the legal possession of the land he finally was able to obtain from the Judge of the Primary Court at the Northern District an order for a requisition to complete the steps to this end. The claimant sent this document to the District Judge the conveyance of Feliciano Aldrete, Collector of the frontier Custom House of Tijuana, who complied with the encargo, but failed to obtain the return of the documents, receiving from the Court the following textual answer :

"Under this date, and by disposition of the District Judge, the order made out by the Judge of the Primary Court of this District, and written on four pages, and referring to the survey of the land known as 'Bajio Largo,' denounced by the citizen Geronimo Rodrigues, has been withheld from citizen Feliciano Rodriguez."

TODOS SANTOS, October 5th, 1887.

[Signed] M. CABALLERO, A Rubric.

The case of the Tacumbo Ranch is another example of the lack of protection whereby many of the proprietors in Lower California became victims. From the documents that I have gathered, it appears that on the 1st of April, 1876, D. Sebastian Lerdo de Tejada, President of the Republic, made a grant of the title to this property in favor of Higinio Tortolero, who paid in April, 1877, into the Custom House at La Paz, one hundred and fifty dollars, half the value of the land. In January, 1887, the Custom House at La Ensenada called upon the agent of Tortolero to complete the amounts he owed, according to the statement made out by the Collector at La Paz. This was paid; but in the following March the Collector at La Ensenada endeavored to return this amount to the complainant, basing his action upon the statement that the land had been recovered by the Nation.

In this case there occurs the singular circumstance that Mr. Max Bernstein, who to-day claims the ranch in the name of the International Company, was an ocular witness, together with D. Pablo Valdez, when the Justice of Peace of Tecate gave possession of the land to the complainant in August, 1885, and of which formality he extended the written notification to the District Judge of Lower California on December of the same year.

In other cases the solution of the conflicts provoked have been left to chance. The lands belonging to the Township of Santo Tomas, for example, considered as missionary property have been sold up to date by the Commissioner of the Home Department, Mr. Barragan, and though the company perfectly understood that the rights it acquired for the sum of fifteen thousand dollars over the remaining portions of land of that class did not embrace the Mission itself, has nevertheless sold the whole of the Valle de Santo Tomas, as may be seen by the corresponding entry, inserted in the statement of accounts of Messrs. Hanbury & Garvey, wherein they claim the commission referring to this sale.

I cannot omit the narration of other cases in which the outrages ars changed in form, but not in fact, and which are those where the want of knowledge of the laws and administrative dispositions, or the penury of the holders, also, the natural accompaniment of ignorance, offered less resistance to fraud. The Court has taken possession of titles which covered properties consisting of hundreds of hectares in extension, and occasionally of the maximum of 2500 hectares which the law allows, and in return has granted to the holders as a generous compensation certificates which recognized them as possessors of 80 hectares of land.

In this case does Da. Tomasa Duarte find herself, possessing a holding called "Las Penitas," and to her the Secretary of the Court Caballero, gave one of these certificates in Tijuana on the 24th of March, 1886, when she transferred it to me in order to make what use of it I deemed proper.

Ignacio Alvarado, denouncer and holder of land of 2500 hectares, extension known by the name of "El Florido," between Tijuana and Ensenada, and D. Silvano Preciado, denouncer and holder of the same extent at Pozo del Encinito, whose title deeds sent to La Paz to establish this possession have been retained, received in return a certificate similar to the former.

It is not to be supposed that all these title deeds are spotless, but this does not extenuate the offense of the District Judge who has caused them to disappear instead of impugning them in a justifiable manner. The practice followed in the cases mentioned, and in many others not possible to detail, has been to impress upon the possessors the prestige accompanying a Minister invested with a high official position, and the sense that all suits at law would be useless against the International Company whose titles to property were incontrovertible.

This corporation has never omitted any diligence nor failed to improve any opportunity to inculcate this false theme, and either forgetting or contemning Article I of the contract which empowers the company to survey and colonize the lands embraced in its concession *without prejudice to a third party* who may represent a more lawful right, has impudently sustained the same in theory and overridden it in practice.

In a document authorized by his signature, the General Agent, Major Sisson, published in July, 1887, with the heading, "An open letter,'' for the apparent purpose of combating the pretensions of Mrs. Burton to the Ranch del Ensenada, but for the real object of circulating sensational reports in regard to the programme and policy of the company, he says, referring to lands which they claim to possess:

"Do we hold the lands that we have acquired from the Mexican Government, conditionally?''

"No, gentlemen; not at all. The following are the conditions:

"1. That we should begin the surveys within a given time, which was done and recorded in the public register.

"2. That we should deposit a money bond for its due compliance, which was done, and the receipt given.

"3. That we should finish our surveys at a stated time, which was duly complied with, and the maps and memoranda of the surveys deposited and accepted in due form, all of which was entered in the public registry.

"4. That we should pay for the said lands, which cover an area of over 17,000,000 acres, a designated sum, on or before a fixed date, which was also done, and the receipt taken. The title or patents were issued in our favor, and we are now *in possession unconditionally, and without any restraint whatsoever*. Then the District Attorney, at the request of the Secretary of Public Works, framed and drew up a complete and ample title expressing irrefutable eviction and quit-claim clauses for us to sign in each particular case, and this *title*, in virtue of the ample facilities invested in us without limitation of any kind whatever, is what *we have signed* in favor of each purchaser.''

And further on he repeats:

"Our titles have been granted to us without restrictions of any kind.''

"We, as agents of the grants, transfer the title deed with the eviction and quit-claim clauses.''

It appears inconceivable that a person of the intelligence attributed to the General Agent of the company should have furnished a further unanswerable proof of the insubordinate and arbitrary spirit that animates the company in complying with the obligations that it has assumed, and setting the example to the partisans of its doings to repeat and propagate the false position they maintain. In the San Diego *Union* of the 2d of April last there appeared a long communication from Mr. F. S. Van Dyke analyzing and scouting the possibility of the forfeiture of the contract. Therein he says:

"I have seen and read the original patents, twenty-seven in number, by which a title has been transferred to the company. They are executed by the President and the Secretary of State, according to the laws of colonization, and sealed with many stamps of the value of fifty dollars each. These patents are as valid as any that can be had in San Diego. They guarantee seventeen millions of acres of land in all. But the most important portion of said patents is the declaration *that all the important conditions have been fulfilled by the company, and finally that said company having paid to the treasury the amount of money stipulated, its title is now full and unconditional, as well as the confirmation of the transfer made to the company by Huller and partners.*"

During the time that elapsed between the publication of the letters whence I draw these characteristic paragraphs, these verbal and written declarations have not ceased to be repeated. For many months past circulars have reappeared, distributed freely by the company, and although Mr. Hüller has declared in his communication on the 8th of December last, and already quoted, that the fact of advertising more or less exaggeration by some agent or associate of the company concerning the transfer of lands is a common mercantile proceeding, I believe that the understanding of the fundamental clauses of the contract prohibits all such exaggerations, and the abuses actually verified in the infringement of it, as proven by the detailed narration of the acts thus exposed, is not quite so inoffensive as the company's representative wishes to suppose.

If from the general operations referring to the occupation of lands we pass to the special case foreseen in Article 21 of the organic law of colonization of December 15, 1883, and which gave rise to the call for a special report from your Department to be given by Mr. Hüller on the 6th of December last, it is seen that, in direct violation of the clauses upon the subject, certain properties within the limits of the frontier zone have already been sold, and for the possession of which, according to the law of February 1, 1856, a special authorization from the Supreme Government, after the endorsement of the petition by the local authorities, must be granted.

In regard to this matter some preliminary examinations must be entered into.

The original concession granted to Messrs. Telesforo, Garcia and associates on the 17th of April, 1883, authorized the survey from

Parallel 29 to the frontier line, and as in this contract the beneficiary had not as yet been entitled to acquire two-thirds ($\frac{2}{3}$) of the overplus of the surveyed lands, it is to be presumed that the intention of the Government was to credit the surveying companies with the one-third ($\frac{1}{3}$) to which, according to law, they are entitled, always excepting the inalienable part, the zone mentioned.

The company represented by D. Luis Hüller being authorized later on to acquire the whole of the public lands discovered, it was understood that the prohibition was withdrawn, and the *Diario Official*, the organ of the Supreme Government, in its issue corresponding to the 30th of January, the present year, so states, thus refuting the observations of another paper in regard to the fact.

Nevertheless, in Mr. Hüller's answer, on the 8th of December last, to an exact statement that the Department of Public Works demanded from him, he affirms that the company has not transferred any territory to foreigners unauthorized to acquire the same, which statement is important, and creditable to Mr. Hüller, for it shows the respect he has entertained in regard to this debatable point, but which has, unfortunately, been neglected in practice by the other agents of the company, as in the liquidation which Messrs. Hanbury & Garvey send to the company there appears an entry of $80,000 as due to them as commission of the sale of the Valle de Las Palmas, an undetermined property, situated within the limits of the zone in question.

The perplexity which permeates this question is revealed in the very text of some of the official documents in which the subject is mentioned. Lawyer Gandara pointed out to the District Court, in his first petition of the 5th of July, 1883, which was the first step toward the beginning of the survey parallel 32 deg. 45 min. as the northern limit of the zone to be surveyed. Mr. Bernstein stated in another communication, in November 23, 1885, that the limit was the 32 deg. only, and from the sentence of the District Court of January 18, 1886, it appears that the company's limits in the north are up to 32 deg. 41 min. parallel. These examples suffice to show that neither those who ask for nor those who grant the titles are agreed as to the extension or boundary of the disputed zone.

I have visited Monument No. 1, situated towards the western extremity of the dividing line near the Pacific ocean and the No. 4 now destroyed, which forms the limit of Tecate Colony, which is almost equidistant from the first-mentioned landmark and the banks of the Colorado. The co-ordinates of Monument No. 1 are: Long., 7 hours, 48 min., 21 sec., west of Greenwich; lat., 32 deg. 31 min. 59.58 sec. north.

I cannot textually quote those which Monument 4 must have had engraved upon it, for, as I have said, it is destroyed, but the remains of its foundation exist. The map of Tecate which I have consulted, drawn by the Second Engineer of the Commission of Vacant Lands in Lower California, Mr. Fiacro Quijano, in November, 1876, gives the dividing line an azimuth N. 82 deg. 12 min. E., so that the variation of latitude is easily explained, as the dividing line does not coincide throughout its extent with the tracing of the initial parallel, the deviations to be measured northward through the ordinates which join both lines, and which decrease from east to west.

The expression employed by the Department of Public Works is the one which gives the true signification of the point sought, but though it be sufficient to obviously elucidate the confusion of the case in a technical point of view, it is not sufficient to dissipate the legal contradiction which is still maintained, and which has still further increased since the official organ of Ensenada, dated the 2d of April last, publishes, with the most alarming preamble, the law of the 1st of February, 1856, the effect of which has been to increase the pre-existing uncertainty and uneasiness.

To fill up the measure of difficulties, the company has committed the serious mistake of selling a property not belonging to it, situated on the frontier line. It transacted the business and received the moneys stipulated, the receipt of which I have held in my hands, and was unable to give possession of the property sold, as the legitimate owner exhibits an incontestable title deed, and repelled the new would-be occupiers. The latter, in their turn, sold their valueless rights to a third party, who also endeavored to establish his claims, though without any success, the result of the matter being that there are now three parties in litigation laying claim to an unsalable property, and it is not from want of exertion on the part of the company, who endeavored to make a sale of the much sought after property to a fourth, but the last one, having obtained a timely knowledge of the fraud perpetrated, refused to purchase it, as is proven by the declaration he made and which I hold. I do not cite the names of the persons of the locality nor of the values delivered, as the matter is about to be placed in Court, and I have but received the account of the affair from prominent residents of this city in order that the Supreme Government may have a knowledge of the fact; but I herewith remit, as private matter, authorized copies of the transaction, marked Nos. 33, 34 and 35, in order to prove the authenticity of the statements.

There remains to the company the resource of declining the responsibility of some of the cases wherein the deceit is not so manifest as in the one above described, appealing to the imperfection or omission of the final operations of survey; as, for example, the case in San Quentin, where lots of 120 acres were sold for 150 acres, the voucher whereof I also remit under No. 17. This solution bears the advantage of being less odious than the first, and has the merit of being the exact reflection of the truth. Indeed, by examining with due care the course of the operations in this department, the evident proof is obtained that

THE SURVEY AND APPORTIONMENT OF THE LANDS GRANTED TO THE COMPANY HAS NOT BEEN CARRIED OUT.

The proceedings in the District Court which have been cited in the body of this report, in order to investigate the question relating to the transfer of lands by the company, have manifestly shown that—

1. In the month of July, 1883, the engineer, Ismael Sanchez, surveyed 10,000 hectares in the Canon de San Carlos.
2. On the 3d of November, 1885, the Judge ordered the holders of country property in the Northern District to appear, before proceeding to survey the zone granted to the company.
3. On the 3d of January, 1886, the engineer, William Denton, completed the survey of eight properties in the Valley de San Tomas; and
4. On the 18th of the same month, the Court accepted the survey as concluded, and upon the basis of this formality published the decree declaring the company to be in possession of all that part of the peninsula, with the exception of twenty-nine holdings recognized as private property.

Without having recourse to scientific criterion, common sense is sufficient to understand that it is perfectly needless to refute the absurdity that the field and office work of surveying, apportioning comparing, drafting and giving possession of an area of 3,000 leagues, which approximately corresponds to an irregular quadrilateral embraced within parallels 28 deg. and 32 deg. 41 min. and the coast line of the Gulf and the Pacific Ocean between those limits, could be finished in thirteen days, is too absurd for repudiation.

By studying the antecedents of the subject, the knowledge is obtained that the plans presented to the Court and remitted to the Department of Public Works for approval do by no means represent the true condition of the grant considered, either as to location or extent. The plans sent in by Mr. Denton to the Court are four in number, and correspond to four sections, into which the work is divided. The one which should have been marked as No. 1 does not appear, but I believe that it refers to the special survey work of the Island of Cedros, which I shall consider further on. The second corresponds to the zone between 29 and 30 deg. The area of this section is:

	HECTARES
The third, between 30 and 31 deg.	1,331,380
The fourth, between 31 and 32 deg	1,387,684
The fifth, between 32 deg. and the dividing line	1,353,045
Total	5,936.867

or, 14,664,046 acres.

In order to explain the sudden appearance of this mass of work, which represents the continuous labor of many years, it is indispensable that its probable origin be scrupulously examined, to determine how far the data and accounts which they contain are worthy of credit, and upon what they are based, so as to qualify the representation of their scientific value. Leaving out of account the material which furnished the geographical work of previous dates, the comparison of which I cannot at present verify for want of the necessary ready references, it is to be seen that they must have furnished a goodly contingent for the formation of those maps; besides the points obtained from the map of the Republic, much of the information utilized in the formation of the company's plans was drawn from the labors of the commission appointed to locate the dividing line, headed by the engineers Messrs. Salazar, Ilarregui and Colonel Emory; those of the engineers Messrs. Blanco and Tinoco, for the location of the 27th paralllel, and of Mr. Blanco himself on the banks of the Colorado; the commissioner recently sent to study the Calmahi placers, and the topographical work on the vacant lands in operation during the years from 1875 to 1878, if I mistake not. Adding to these the marine charts of the United States Hydrographic Service, formed from the data obtained in the explorations of the "Narragansett," embracing the years 1873 to 1878, of which I have seen seven, two of them referring to Cedar Island and San Quentin Bay, and the complete set of which is perhaps in the Department of Charts, in the Department of Public Works, and which I of a certainty know exists in the Navy Department, which may be the source of much data used in the compilation of the large maps of the company.

Independently of these, Mr. Denton possesses a large collection of his own maps of considerable value, finished while working upon the survey of vacant lands in Lower California, a work contracted for between the Government and the firm of Mr. Jecker, in the year 1856. The joining together of these data by the before-mentioned Mr. Denton, who again figures as chief engineer, explains the enigma which at first sight appears to offer no solution.

The ignorance, the carelessness and the deception which were exhibited in the judicial proceedings relating to the surveys, makes the District Court appear with a greater share of responsibility than that which it ought to bear. They were received without discernment, and remitted without any commentaries. The work presented by this engineer, and the exceptions which he explained when presenting the documents, were refused and passed over in silence. The Court does not make use of one circumstance, which, though insufficient as regards the principal question, should at least shield in part the dignity of its proceedings. No other evidence is there in the records of any other authorized works besides the two already mentioned; and nevertheless it is true that Mr. Denton was busy from the latter part of August, 1884, in making the topographical survey of Cedar Island and in rectifying and completing the survey of the zone between the parallels of 28 and 29 deg.

On the 4th of April, 1885, he reported to the District Judge, resident at La Paz, that he had concluded the operation, from which he deduced that the surface of the island measured 34,287 hectares. The remainder of the year he spent in exploring other portions of the peninsula, doubtless for the purpose of rectifying his notes. I make these statements as facts, for I have the copy of a letter which Mr. Denton sent on the 29th of October, 1884, to Messrs. Sisson & Huller, at New York, and although it was not written for the purpose of commenting upon the survey, but to urge the remission o funds, the want of which had obliged Mr. Denton and his assistan to suspend the work, and to inform them that in the zone explored between the dividing line and the Rancho de la Calentura, in the interior of the peninsula, he had found in an area of 1,500 square leagues many private holdings protected by private titles. The letter also shows that there was at that time another engineer employed with Mr. Denton in gathering data upon the ground.

From the detailed statement of these facts, which I submit as impartial testimony, in order to exculpate the carelessness incurred by this Court in not mentioning them, the knowledge is obtained that in truth certain operations, supposed to be surveys, had been undertaken. That these were inadequate is also most certain, and only an unreasonable obstinacy would be capable of suggesting a contrary opinion; for, if the voluntary statements of the interested parties show that the survey of Cedar Island, whose area is 34,287 hectares, occupied seven months, how could it be possible to terminate in the other nine the zone on the peninsula which contains 5,936,861 hectares.

The land to be surveyed being generally in similar conditions, it is evident that the results of the work should be directly proportional to the time employed in its execution; therefore, if for the survey of Cedar Island, which measures 34,287 hectares, one engineer and an assistant required three months, it is evident that to do similar work on the remaining 5,936,861 hectares, which represent a surface 176 times greater, they would need 528 months, or 44 years' continued work.

By showing me his field notes, Mr. Denton has demonstrated that from August, 1884, to April, 1885, he was also busy in rectifying, condensing and completing his data relative to the survey of the zone embraced between the 28th and 29th parallels, the greater portion of which he had previously surveyed. Accepting this evidence, as in duty bound, and admitting that the major portion of the work had been done for the second time, the result will nevertheless be that the area of this zone is equivalent to 1,053,402 hectares, is five and six-tenths times less than that of the remaining four sections, and consequently it would be necessary to employ three years and three months, instead of nine months, as is stated.

The inferences drawn from these facts leave no doubt as to the true character of the elements used in the formation of the plans;

but it is far better to hear the opinion of the Chief Engineer expressed without let or hindrance in two documents of most marked meaning.

The first is a letter dated February 1887, from Mr. Denton, in San Diego, to Luis Huller & Co., in Mexico, for the purpose of obtaining the payment of his salaries and the fulfillment of the obligations agreed upon between himself and the company to strengthen the justice of his demand, about which I shall not occupy myself, except incidentally. Mr. Denton enumerates the services he has contributed to the benefit of the company, namely: The work he did for the firm of Jecker, Torres & Co., with whom he contracted on the 8th of May, 1857, for the survey of the vacant lands of Sonora and Lower California, wherein he worked up to the latter part of 1860. The result of these labors was the measurement of large areas in Sonora and a considerable length of the Gulf of California and islands parallel to 26 deg. 30 min. up to 32 deg. at the mouth of the Colorado.

During the interval from 1860 to 1872 he busied himself several times in similar work in the lower part of the Peninsula, and from 1878, while employed by other companies, he extended his labors towards the north.

In this letter, denying the responsibility laid upon him for the delay of the work, he shows that it was caused by the neglect of the company in attending to the expenses of the expedition, and states that of the nine months he might have utilized, he lost three from this circumstance.

In regard to the staff, he adds that the engineers—Stevens, Lemon and Lewis—arrived at Ensenada; the two first mentioned in the month of December, 1886, and the last in January last, and that they were employed exclusively upon the drafting of plans.

Mr. Denton deservedly enjoys the reputation of being an able engineer, experienced and honorable, and it is not to be questioned that his plans, undoubtedly correct in a technical point of view, are of much value for the general topography of the Peninsula, but they do not satisfy the conditions of the contract of July 21, 1884; for whatever tediousness may mark the movement of real estate in the Territory of Lower California, it has been nevertheless sufficiently considerable to denote that its present state does not agree with that of 30 years ago. The frequent and varying decrees touching vacant lands, several of them peculiar to Lower California, as for instance the authorization granted to Prefect Castro to sell public lands in 1858, the title deeds granted in 1859 in the City of Vera Cruz, the laws of March 14, 1861, of July 23, 1863, issued in San Luis Potosi, of the 14th of December, 1874, and the adjudications by the commissions presided over by Messrs. Canalizo and Treviño, have produced important changes in real estate, and the true boundaries of country property to-day do not agree with those of the time when Mr. Denton formed his plans, a circumstance which this gentleman recognizes, for he has the honesty and sense to declare that his work embraces only the perimeter and not the details of the survey and of the apportionment.

Precisely to this point the second document to which I refer is reduced. It is the declaration made by the said Mr. Denton before the Judge of the Primary Court of Ensenada, on the 15th of September, 1886, on the petition of Messrs. Emilio Legaspi and Santos Cota, imprisoned by order of the District Judge by virtue of a writ published in the paper "El Correo de la Tarde," of Mazatlan. Exhorted in due form of law to answer the question submitted by the petitioners, he said that he could not affirm whether the survey concorded with the conditions imposed by the contract, but that it was formed upon data he obtained himself, and authentic data he obtained from other engineers, and that he considered it practically exact; that the apportionment had not been made, and that which was so marked was imaginary; that the engineers who signed the maps did not do any of the work, and that he himself knew all this, inasmuch as the work had been done under his supervision.

I gather from the brief account of what has happened in regard to this matter, that it is manifestly shown that the survey, comparison and apportionment of the land granted to the International Company is a vile fraud, which may not be accepted without grave responsibility as the fulfillment of the conditions categorically expressed in Article 18 of the organic law of December the 15th, 1883, and of Articles 1, 4, 7 and 8 of the respective contract, which stipulate collateral obligations founded upon the preliminary compliances therewith.

The most important points of the contract being violated, it is almost superfluous to add that those of minor importance, limited to provisions of the by-laws, have not even been touched. As regards the municipal organization of the colonies, I should say that it exists only at "La Ensenada," not because this government form was established after founding the Pacheco Colony at that port, but because it was a corporation constituted years before and which had changed its headquarters at the same time that the Prefecture was changed. St. Tomas, "Real del Castillo" and the "Sauzal de Camacho" were the seats of the Northern District of the Peninsula before the change to Ensenada.

Following the instructions given to me by your Department regarding the observance of Articles 27 and 28 of the law relating to foreigners and naturalized citizens, I will say that I have found no documentary evidence in the Federal offices charged with the duty of remitting the petitions of those interested which would serve to throw any light upon the matter.

The only document I possess, and by means admissible, relating to the subject, is a declaration sworn to and authorized by a notary public, a former employee of the company and now a public officer in this county, and which, on account of its serious character, I shall not criticise, but the copy of which I remit herewith among the other vouchers of the report marked No. 14.

It is almost needless to add that the company has not complied with the obligations pointed out in Article 13 of the contract, to furnish work to one person in each family during two years, and for six months each year; for clearly proven as it has been, that the colonists have not yet established themselves, and that the workmen of San Quintin had to disperse through want of payment of salaries, any further remarks upon the topic would be useless.

The factories established at Ensenada after the consummation of the contract with Mr. Huller, and which, indeed, owed their origin to the momentary attraction of the opening of the company's branch offices for the purpose of selling land and the clandestine importation of goods, were then, and are even now, going on.

Charles Bennett's cannery, and a sawmill, also his property, Maüer's brewery, a match and a soap factory, and a so-called manufactory where harnesses sent from the United States were put together and were being sent to some of the Pacific coast ports, until the Collector of Customs of Mazatlan, as I have been informed by a high official, discovered the fraud and caused the duties to be paid upon these goods unduly introduced. At present work is going on upon a woolen cloth mill, under the supervision of Mr. H. H. Douglass. The tailors, shoemakers, restaurant keepers, peddlers, inn keepers, and other artisans and tradesmen who flocked there formerly, have for the major part left after the falling off in the company's business.

The real improvements are : The wharves at Ensenada and San Quintin, which measure approximately some 250 meters, the first, and 200 meters the second, besides a small auxiliary landing place 10 meters long at "Ensenada." At "Punta Banda" the piles for the projected wharf have been driven for about 20 meters, and the locations for other buildings have been marked. The International Company has built 3 hotels at Ensenada, and a few houses as residences for employees, the principal office, a warehouse and a stable, all of wood. At San Quintin a fair-sized hotel has been built, also the houses at Punta Banda and San Carlos, which I have already mentioned at the beginning of this report. The road from Tijuana to Ensenada has been in use for years, and was opened by the local traffic. The same may be said of the other neighboring roads, which, as may be supposed, are in a bad state, for there has been no drafting, cutting or opening. The causeways described in Mr. Massac's report are in project, reduced to the simple clearing of land, following the natural direction and declivities, without any other artificial work than the construction of three wooden bridges between Sauzal and Ensenada, about 10 metres in the clear, each one. Mr. Bennett has set up pumps to raise and distribute potable water, and I believe even now, or in a few days, the dam that for the perfect service of this enterprise has been in construction on the slope of the hills which limits the town towards the northwest will be finished.

In the bay of San Quintin the channel open to vessels has been marked with buoys. Should any permanent organization be effected, it appears that the most economical and practical way would be to open a channel to the north, cutting the peninsula which shuts in the port in that direction, and so avoid having to keep open the present way by means of perpetual dredging. At La Ensenada the conditions of the port might be vastly improved by building a dyke or breakwater upon the prolongation of the northern point, which terminates the curve of the coast line in that direction, without which protection the anchorage would be incommodious, if not insecure, and the present wharf be in danger of being destroyed by the sea, especially if it be still further prolonged.

When I affirm that the clandestine introduction of goods is one of the minor speculations of the company, I am perfectly well prepared to successfully answer any accusations of calumny that might be brought against me. I shall take the liberty to detail to your department the system followed in this affair, so that the abuses committed appear in all their grossness.

The company's custom-house brokers residing at San Diego send to those of Ensenada the manifests of goods coming to supposed colonists; from these manifests the agent extracts the names (designated sometimes by the mere initials) and obtains the inspector's authorization when they are presented to the custom-house to be sent on to the Secretary of the Department, there to obtain instructions as to those who are or are not exempted from the payment of import dues.

The progressive steps of these various formalities leave, as will be seen, the fiscal interests without protection, and the frauds perpetrated unpunished. The circumstance of there not being any custom house at San Quintin, and the trade there not being really carried on between that port and Ensenada by the steamers of the company, without being under the Mexican flag, under the pretext of carrying supplies to the colonists, has given rise to many abuses committed at the first mentioned place, and the impunity with which they have been transacted has caused surprise even to the transgressors themselves. The immediate protection shown to the colonists by the company becomes apparent when some of the few who have kept their certificates, and wished to utilize the same in obtaining some of their supplies, have been obliged to pay as commission a greater amount than the duties themselves, as is shown by the respective complaints, which I include among the vouchers.

The remote protection will be apparent when the steps taken by the company for the free importation of foreign flour are considered.

If the agricultural interests are to have any impulse in the peninsula, as would be the natural supposition, if a company constituted for that object worked with that end in view, the raising of breadstuffs would undoubtedly be the predominant industry. It is not to be understood, how, instead of protecting this branch, it should be annihilated from the very beginning by opening the avenue to products which have driven even from European markets, all competition, even to those brought from Asia and Africa, which formerly chiefly supplied them. Flour from California and Oregon able to bear transcontinental railroad and maritime freights, sold here at two dollars a cental, is sold at Ensenada at from six dollars to nine dollars, and not because of any scarcity of the local commodity at those prices, but because all competition is vanquished by the actual importation effected under the pretext of supplying colonists as a speculative monopoly of the company.

From the proofs gathered in the course of the report, I believe that concrete conclusions may be arrived at which permit the appreciation in a few sentences of the true state of affairs.

RECAPITULATION.

Has the International Colonization Company surveyed, measured and apportioned the zone conceded to it, within between the parallels 29 deg. and 32 deg. 41 min. and Cedar Island? No.

Has it established, during the two years from March, 1886, to March, 1888, the fifty families designated in Article 12 of the contract? No.

Has it proportioned to the existing families 15 hectares of land as a minimum, or 2,500 as a maximum, according to the prescription of Article 13? No.

Has it furnished to the heads of families agricultural implements, or given them work, according to the terms of the same Article 13? No.

Are the present colonists in the proportion of nationalities required by Article 10 of the contract? No.

Have the colonies enjoyed the prerogatives granted them in Articles 7 and 26 of the law of December 15, 1884, and Article 15 of the contract? No.

Has the company formed the colonists into a municipal government? No.

Has the company made sales of lands of greater extension than permitted by the contract? It has.

Has the company transferred to other companies independently incorporated the right to sell lands without the previous consent of the government, and without these corporations assuming the obligations required by the contract, in contravention to Article 26? It has.

Has it sold both large and small extensions of land to foreigners not authorized to acquire the same, in contravention to the law of February 1, 1856, and the distinct prevention of the Department of Public Work? It has.

Has it made sales of lands before establishing the number of colonists, as required, in contravention of the disposition of Article 23 of the contract? It has.

Has it sold lots of an extension less than that marked on the plans whereon the sales were scaled? It has.

Has it sold private lands, knowing as a positive fact they did not belong to the public domain, nor to those whose property could be disposed of according to the contract? It has.

By the foregoing it will be seen that the contract has been violated both in spirit and in letter, in its purposes as well as in its application; wherefore, according to the requirements of Section 1 of Article 28 and of Article 24, the said contract is forfeited, and the lands sold to the company should revert to the nation without the latter having to make any return of whatever it may have eceived therefor.

This part of the report referring to the colonies in the Northern District of Lower California might be considered as concluded; but I judge that the keen intelligence of the Supreme Government will not take it ill that I glance over some general considerations, as much for the purpose of completely fulfilling my duty by avoiding censurable reticences, and because these considerations are the indispensable complement for the formation of a judgment by your Department in regard to the fulfillment of the clauses embraced in the company's contract; and, indeed, this complementary report is required of me in the final clause of the instructions I received when leaving Mexico.

The inconveniencies resulting from the declaration of the forfeiture of the contract entered into with the International Company of Colonization are grave, not from a legal standpoint, as the annulment is the result of its own misconduct, but indirectly from the loss of prestige that would result to the Republic by making this appear as a fruitless attempt at colonization, and from the pecuniary responsibilities which the nation would have to assume to avoid perturbations of greater interests, but these inconveniences are not to be compared to those that would result by adopting a conciliatory attitude which would furnish renewed facilities to the company which, on account of its radical incapacity, would never be able to improve.

The true account which I have given of its affairs shows that its organization is a *clique;* its deeds, abuses and its vindications are impostures. The contract made strictly in conformity with the law of colonization in operation, has been perverted in all its clauses; and its development, now and in the future, impracticable, because it is vitiated from root to branch. The lack of reputation of this company, somewhat hidden in Mexico, thanks to ambiguous language and deeds by which it manifested submissiveness and compliance to the higher authorities of Mexico, but displaying haughtiness and insolence here, where it deems distance to be its shield, is manifest to the judgment of business men, with whom its falseness, inaptitude and insolvency are the themes of the frequent conversations and writings in which its conduct is commented upon. The reformation of the contract would be immoral and useless; for to make it practicable it would be necessary to recognize and approve the past deeds of the company, and in its future programme it would necessarily have to bind itself to the completion of the spoliations begun.

The faith in the deeds granted by the company has been completely lost as the scandal resulting from certain usurpations has been brought to light, and is matter known to all, it would be an insuperable task to re-establish the confidence which is the foundation of all transactions.

The judgment of purchasers becomes confounded at the arrogant declarations of the company regarding its unconditional titles to property, with the evidence of lawsuits commenced and the loud clamors of complainants who have as yet not taken legal steps, but threaten to do so.

The probable purchasers of the lands of Lower California are either Americans by birth or foreigners residing in the United

States acquainted with the public land laws in vogue therein, who, when seeing that the deeds which they receive do not bear the same stamp of indestructibility as the United States patent, and how, when listening to the excuses evoked by the company to forego giving quiet titles or quitclaims to the properties, bring to bear the most violent accusations against the Mexican Government, attributing to it all vacillation and insecurity of the titles. In truth, the greater part of profitable lands in the zone embraced by the concession has been sold already, according to the statement of accounts of Messrs. Hanbury and Garvey, and although the truth of this matter is not known, as the late antagonists at law have kept the agreement which followed their reconciliation a profound mystery, it is inferred that it must be so, since the only contested point at the time of their misunderstanding, was the direct collection of commissions due, and not the reality of the sales consummated, which up to date the company has not denied.

The standpoint from which the acquisitions of lands in Lower California is considered is diametrically opposed to the essence of the contract, or at least has no connection whatever with it. The rapid progress which has marked the last years of the southern part of California, especially the city and county of San Diego, has attracted to the place a powerful influx of capitalists, or of simple immigrants who have gradually dispersed through the different sections of the country. The arable portions of this region occupy some nine million acres, and the natural and legitimate impulse of merchants and farmers tends to consider the remaining portion of Lower California, after deducting the fantastic exagerations of the International Company, which may represent some four or five millions of acres as a zone commercially tributary to San Diego, without troubling themselves to consider the good or evil which might arise from any political emergencies. The press of all these cities, and especially that of San Diego, agree upon this point, no matter what difference may be expressed as regards the conduct and circumstances of the International Company, and the organs of this same company, in their advertisements or circulars, publish paragraphs in tenor similar to the following:

"OPEN AT LAST.

"The lands of the International Company of Mexico comprise the fertile district known as the northern or upper half of the Peninsular of Lower California. Commencing at the line fifteen miles south of San Diego in the United States, near parallel 32 deg. north latitude, the company's property extends southward a distance of 300 miles, having the Pacific Ocean upon one side and the Gulf of California on the other. In looking at the map the first impression would be that this peninsula was part of the United States and California proper. This impression is caused by the fact that it is almost entirely separated from Mexico by the large Gulf, being joined to it only through a narrow stretch of land along the boundary line. Occupying this peculiar position it remained unsettled for two reasons. Not belonging to the United States the immense tide of immigration which has been rushing to Southern California stopped at the boundary line, this latter becoming in three years, through the influence of a railroad connection, more thickly dotted with farms than a western prairie. On the other hand its apparent isolation from the parent country of Mexico, and the absence of communication with its markets, even the mails coming through the United States, prevent the people themselves from settling there."

The pamphlets whence this paragraph has been taken, are distributed from the offices of the General Agent, Major Geo. H. Sisson, the Land Agent W. E. Webb and the agent of San Diego, Chas. Scofield.

Another competent authority, Miss Kate Field, an author of repute and whose encomistic articles head the Company's advertisements, says:

"The reason why this country has not been taken up before I imagine to be because it belonged to Mexico. The International Company has only had its concession two years, and has since done much. But it is very inaccessible at present and very little known. Let me say right here, however, that I should not think it at all wise for people without money to go to Lower California, either as farmers or miners. There is, I am sure, a good prospect for capitalists and those who know perfectly what they are about.

"In conclusion, I should like to dispel some of the erroneous impressions that are prevalent regarding the Mexicans of Lower

California. They are superstitious and unprogressive, but amiable, and make the quietest community imaginable. They welcome the Americans to whom they owe their money. There may be some brawling when the mining attracts Tom, Dick and Harry to the placer diggings, but it will be only under provocation. I have no regard for this intolerance of race. General Miles, who associates with Indians and natives, has no race prejudices, but recognizes their fine qualities.''

These statements which are more than the ''exagerations permitted in mercantile strife,'' as Mr. Huller calls them, in an official document, denote the true tendencies of the company, which are also the only ones it can show. It lacks the power to organize a colony as stipulated in the contract, and lacks the power to resist the current which is rushing towards the Pacific Coast, bearing on an average some 15,000 immigrants a month; a current which is bearing down, not from the noisy advertisements of speculators, but on account of one of the phenomena of social dynamics, of irresistible fulfillment. Should the company recuperate its vitality, at present in suspension, the purchasers who have compacted the sale of lands either through them directly or through its agencies, its companies, its factors or its syndicates, will take possession with or without its authority, or the authority of the Government of the Republic, of the lands so acquired, and the examples so opportunely quoted in the report of the Department of Public Works in December last, regarding the emancipation of Texas, would be reproduced, for besides the centripetal force which is now lacking more than at that time, a centrifugal force will appear which will draw this portion of the territory with increasing intensity and the direction of the resultant will leave no room for doubt, as from the North the attractive force is magnetic while Mexico represents an insulator.

While treating of the manner which the company has adopted for the transfer of land, I remarked upon the peculiarities which characterized the deeds granted to the purchasers. Referring to this matter, because of the necessity of bearing it in mind in case of the renewal of the contract, it is inexplicable how a company organized conditionally under the laws and customs of the Republic of Mexico can have evaded the commercial, social, fiscal and legal action of the country to which it owes its origin. The contracts referred to are drawn up at a place which is not the legal domicile of the company; it has evaded the payment of inscription dues, and set at naught the stamp law. The deeds are drawn up in a foreign language, and the payment is demanded in privileged coin. Language and money stamp a nationality, and the deeds written in English and the payments in United States gold coin would be a curious fact, were it not at the same time depressing. This might be considered an exagerated scruple, and that these last two objections were puerile, and in fact they would be so, were they the only salient points in a contract easily kept, but which has been adulterated in every phrase by the company, which has had the foresight to balance its accounts in the fulfillment of its obligations with the Government, many years beforehand.

The title deeds which I have been able to examine stipulate that the payments be made annually, and these periods never extend over five years. Hence, understanding the operations of the company, its objects cannot be more transparent. Article 10 of the contract grants a period of ten years to colonize the lands of Lower California and Cedar Island, and in Article 24 the Government reserves to itself the right of recuperating those lands in case this condition be not complied with. But it is evident that all possible benefit having accrued to the company five years before the expiration of the period, the above lands will all have been sold, the Government ridiculed, and the delinquents will slip with impunity through the broad gateway called the Hartford Act of Incorporation, drawn up in conformity with the legislation of the State of Connecticut, under the protection of which, it is true, many honest corporations flourish, but many also with the preconceived intention of not answering, except by an insufficient deposit, to the responsibilities which they may contract during the course of their speculative transaction.

And let it not be thought that it is a hasty opinion which I advance regarding the subject. I quote Article 2 of this deed, which textually says:

"Article 2. The capital stock of said company shall amount to $500,000, which can be increased to a sum not exceeding $1,000,000. This capital stock shall be divided into shares, each share representing one hundred dollars, which shall be considered as personal property, and transferable only on the books of the company according to its by-laws, and no more shares can be issued until the total number of the value of the original capital stock has been fully paid up."

According to the certificates issued by Messrs. Edgar F. Wells and Lyman R. Ingraham, respectively President and Secretary of the International Company, on the 3d of April, 1885, in the city of Hartford, the amount of paid up shares was $500,000. This amount, or other sums that may have been collected as assessments, up to the limit fixed by the referred to Article 2, must have been already spent, for, inasmuch as in January of the year 1888, according to the statement of Messrs. Hanbury & Garvey, their reason for delaying the collecting up to that time of their commissions was the petition of Mr. Sisson in regard to the subject, who wished to avoid making calls upon the company's treasury as the magnitude of the operations overtopped the capital paid in by the shareholders.—San Diego Union, January 13, 1888.

These resources have dwindled away, there then remains to the company no other bond to guarantee the fulfillment of the contract, thanks to which, it has already made sales amounting to $6,000,000 than the deposit of $2,000 in mortgage bonds which it was to place in the *Mexican National Bank* three months after signing the contract.

The object of these reflections is to call the attention of the supreme government to the negligence exhibited in regard to the national dignity and the guarantee of national interests, both for the present and the future; considering the matter in the light of the possibility of its execution the result is equally untenable. The prices which have been ruling exclude the real colonists and restrict the action of the present company or any other which may substitute it, to a speculation in values similar to that in vogue in the United States, but which in Lower California lacks a solid basis and the auxiliary impulses which concur in the former country to make its execution profitable, and could only be properly handled by eliminating or banishing from the territory what little yet remains of the national element.

The average value of an acre in the 52 counties of Alta California, which is the basis for a comparison, varies from seven dollars in unimproved to thirty in improved lands, increasing up to $100, $200 and $500 in localities fully cultivated. The public lands here still occupy an extension of 38,000,000 acres, so that in a fair competition between the prices of these lands and those which have been so hyperbolically described in the peninsula will show a marked difference.

Supposing that these predictions should prove false, and that prosperity were finally to take root in the much discussed territory, it would be impossible to restrain it within the limits determined in the contract.

The probable number of inhabitants that at this date live on the 28,000 square miles owned by the company might reach, by forcing the figures, an extreme point of some 10,000 souls, which would be equivalent to 0.35 per mile, or one inhabitant for every three square miles. Without carrying this number to an absurdity by comparing it with the density of population of some of the European powers, as for instance Belgium, where the maximum of 510 inhabitants is reached, or of Norway, where there are but 15, the rational standard of 5.5 might be adopted, which would represent the State of California, which I persist is the proper comparison on account of its vicinity to the peninsula and the influence it wields over it.

Calculating, therefore, that its highest degree of probability be reached in ten years its population would increase to 154,000. Now what means has the company, I shall not say to maintain the Mexican element in the proportion marked by the contract, but even to prevent the complete annihilation of its last remnants.

It were unfair to confound the cold commercial calculations which is the inspiration of this company with the direct purpose of filibustering for lack of sufficient proof of such an intention, but I do not think I ought to keep silent, for these very serious circumstances forbid it; the company once reinvested with the legal rights it has lost, and following the same plan which it has fatally traced out for itself, it must impel the nation to a fatal termination, which as a simple corporation it would be impotent to forestall much less to prevent.

PENINSULAR RAILROAD.

The decisive influence brought to bear upon the matter by the proposed Peninsula Railroad, the concession of which the company holds, compels me to treat of it, regardless of the fact that its inspection is worthily represented by the civil engineer Richard Orozeo, I shall not consider it from a technical point of view, but treat it as the most important factor to decide the fate of the Peninsula of California, and in so doing I shall comply at the same time with the instructions I received from your department.

The concession in reality involves the execution of two projects, to-wit: the junction of Lower California with the interior of the Republic and the branch of the frontier line which reaches down to the limits of the company's territory. The former is and will be for a long time an unattainable utopian project, whereas the latter is perfectly feasible; but should it be concluded before the other, the dismemberment and complete segregation of the peninsula from the central government would be an immediate fact.

The first mentioned line has not been examined in all its length; but the study of the general map of the republic, and the information which the chief engineer, Mr. Stevens, has kindly furnished me, shows that leaving "La Ensenada" it runs towards the south in the direction of "Valle de la Trinidad," which is the only opening offering a grade convenient for its location. At this point the line makes a complete change of direction and tends towards the north, seeking the right bank of the Colorado River, which it cannot reach excepting by long windings, for the peninsula range of hills rises gradually in that direction to a height of 10,000 feet above the level of the sea on the parallel corresponding to the mouth of the river mentioned. Almost the whole of this northern region is uninhabited.

The point at which it is to descend, is on account of the profile as well as the inaccessibility of the river crossing in the neighborhood of "Puerto Isabel" at an enormous distance from this problematical station of the projected railroad; inclining then towards Yuma where the ground offers at least the rational appearance of a plain fit for the locating of a line. The study that the engineer, Jacob Blanco, made of this region, inserted in the general report of your department in the year 1873, shows the general plan of the principal waterways. The gulf tides rise to a height of 27 feet at the delta of the river and overflow from the river into its tributaries, "Nuevo" and "Hardy Colorado," producing a counter current inundating many miles of the surrounding country. The section at the crossing is as wide as it is variable, and it will be seen that in such a broad expanse, the driving of piles, building of causeways, or bridges, or any other engineering feat, however daring the conception, is out of the question. It would consequently be necessary to go northward till a possible crossing be found. Supposing this to be the case, the line would afterwards penetrate into Sonora, meandering through another desert extending from the frontier line to the district of "Altar," without either fuel or water until the Sonora Railroad is met with. The obstacle then changes in form, but not in magnitude, inasmuch as the Sierra Madre Mountains constitute an impediment, for the passes and gullies that might be used for th line are at a considerable elevation. These difficulties overcome, the road would then again descend into the Chihuahua Valley, also sparsely inhabited, in order to form a junction at the terminus of the line at El Paso del Norte, or some other intermediate station of the Mexican Railroad. The shortest length of this line, according to the reports of Mr. Stevens, whom I have already mentioned, is 800 miles. The section from Ensenada to Tijuana measures from 110 to 120 miles, and adding 150 for the prolongation to San Quintin, there results a total of 1,100 miles.

The projectors of this work base the undertaking rather upon their laudable desires than upon the calculation of engineers, computing that the probable cost of this railroad would be from fifteen to twenty thousand dollars per mile. Unfortunately the figures furnished by practice and well founded statistics regarding the cost of construction of railways in the United States or in Mexico are far from coinciding with their fancies. Referring to those of Mexico and to those already opened, it is known that the Mexican line which joins the port of Vera Cruz to the city of Mexico is 263 miles in length, and bears a legal mortgage of thirty-nine millions of dollars, which is equivalent to $148,288 per mile, and the Mexican Central, which connects the same city with El Paso del Norte, is 1,225 miles miles long, and cost seventy-five millions, according to the statements of its Board of Directors, which is equivalent to $61,224 per mile, and which amount ought to be very near the true figure, for, as the Mexican lines are prolongations of the American system, and organized by companies of the same country, and equipped and managed according to the custom of the United States, their cost must be similar to the roads which have served them as models.

Indeed, upon consulting the statistics published in London, relating to the subject, I find that the 125,379 miles of railroad built in the United States up to the end of 1885 represent a capital of $7,676,399,054, which gives an average of $61,230 per mile. Another statement published in San Francisco towards the latter part of last year estimates $55,059 as the average per mile of the 150,000 miles that had been built up to that time, including the rolling stock.

With the evidence given by these irrefutable figures, it is necessary to lay aside the imaginary estimates made by professionals, or not calculated for the main line of the peninsula and come to a reasonable figure. Mr. Matias Romero, an acknowledged authority, states in a very recent document that the circumstances which have lately happened in the construction of railroads in Mexico cannot be used as bases for future calculations; for the cost of the Vera Cruz and Mexico line is disfigured by the abuses and frauds which preceded and took place during the building, and that in comparison to the Central and National Roads much extravagance has been displayed. In spite of this well grounded criticism, it is not to be supposed that these inconveniences would be immediately remedied, and that the average cost deduced from such a prolonged experience should undergo a favorable alteration, much less in the case under consideration; for, given the special circumstances of the locality, everything tends to show that the work would be much more costly than if the project were on better ground.

Agreeable to these calculations, the cost of this railroad cannot be less than $67,000,000, in U. S. gold, which is the coin considered, to 85 or 90 millions in Mexican money, according to the fluctuations of the market. In order to know whether its execution would correspond to the outlay, it is necessary to examine the quantity and nature of the traffic to be utilized in order to calculate the returns.

The territory which it is proposed to cross is the northeastern section of the peninsula, the northern part of the States of Sonora and Chihuahua. The area of these three divisions gives a total of 224,328 square miles. The value of the landed property, according to the official census, is:

In all Lower California	$4,355,526
In all Sonora	7,223,500
In all Chihuahua	4,653,730
Total	$16,232,756

The population is represented as:

In the half of the peninsula	10,000
In Sonora	143,721
In Chihuahua	225,251
Total	378,972

But as the sections which the projected line will cross are situated in the least populated and cultivated extremity in the country, it is possible to consider equitably but a third part of the zone traversed by the road, and one-tenth of the whole population. The numbers corresponding to this suppostion would be $5,410,918 and 37,897 inhabitants. The probable annual returns from agricultural and industrial sources within this radius would amount to $500,000, which, represented in stock, grain and ores, would be equivalent to twenty-five or thirty thousand tons, which the railroad could handle in one month, leaving the balance of the year without any business.

Admitting that this road were able to compete with the Southern Pacific, which runs parallel to it in one-half of its extension, and with the other trans-continental railroads, and that it could establish a rate for freight of four and a half cents a ton per mile, which is more than twice the average rate at which these roads transport merchandise, the gross earnings would amount then to $1,485,000, equivalent to a net profit of $594,000, after having deducted, as is customary in Mexico, sixty per cent for the running expenses.

In view of the great difficulties of the business in general, and of the particular risks incurred in this kind of speculation, it is safe to affirm that the stockholders, before investing, would require the security of getting an interest of six per cent at least on the investment. (The Mexican Central guarantees seven per cent. See the circular of Mr. Warren Sawyers, President of the Board, dated Boston, 17th March, 1880.) Applying this factor to the proposed sum of $85,000,000, we obtain $5,100,000 as the sum required to cover the interest, but to meet this expense the company, as said before, can only dispose of a sum of $594,000. The difference between this number and the preceding, equal to $4,506,000, would represent the annual deficit, which, if accepted by the company, would justify the opinion that it intends to undertake its operations in a state of perfect bankruptcy.

The outlook of these roads in Mexico is very different from that in the United States, for reasons too well known to be repeated here. To imagine that any result here will be comparable to what has taken place in Kansas and other Western sections is to deceive one's self and to deliberately deceive the public.

The Mexican Central line, which throughout its extension, is the general roadway of the country, and which joins the capital with the frontier, where it forms a junction with the Southern Pacific and the Atchison, Topeka and Santa Fe; which touches at the capital of the States of Queretaro, Guanajuoto, Aguas Calientes, Zacatecas and Chihuahua, whose population, when added together with that of the City of Mexico, forms a total of 446,000 inhabitants; which, besides these capital cities, touches at fifteen other populous towns, among them, for instance, Leon with 120,000 and seven others with 20,000 to 30,000 inhabitants; which can handle the products of all their markets, representing from four to five million tons and in value from ninety to one hundred million dollars, and which has been opened from the 8th of March, 1884, has passed through grave crises, and its shares quoted to-day scarcely bring 68 per cent of their nominal value.

These antecedents and circumstances being known, in what market could funds be honestly solicited for the construction of a road which crosses three deserts, an immense marsh and the Sierra Madre Mountains, and which may be considered unfit for travel or for traffic, as it lacks, and will lack for a number of years, population and merchandise to feed it.

There remains, then, but one reasonable plan, considered commercially, and that is the road from Ensenada to Tijuana. But to consent to the building of this branch before the principal line would be a repetition of the case of the Sonora Railroad, of which only the branch to Nogales was built, the main line, which was of positive interest to the Republic, being left undone, and the considerations to which this subject gives rise are much graver at present, because, if the paucity of inhabitants of Arizona has been up to the present time a defense against an encroachment of the foreign element in that State, this circumstance does not exist in Lower California, which is in contact with a flourishing section, and at whose border the railroad which joins the frontier with San Diego, and consequently with the whole American nation, touched three weeks ago.

The solution of this difficulty is far beyond me; but brought face to face with it, it is my duty to transmit to the Supreme Government the facts such as they present themselves, accompanied by some indispensable considerations, the department, in its higher sphere of action, shaping its course as it deems most fit.

Lower California is at present in communication with the rest of the Republic by means of one steamer belonging to the International Company, and which takes forty-five days in its transit to Guatemala; the "Newbern," which runs on the same line; another which touches at Manzanillo, La Paz and Guaymas every twenty days, and by the "Korrigan," belonging to the French company "Del Boleo," running between Guaymas, Santa Rosalia and Muleje every fifteen days. All of these are subsidized. Communication overland between the two coasts of the peninsula is not held, for want of practicable roads. In this situation it is evident that once the branch of the railroad mentioned be constructed, the place would assume the characteristics of the only element so drawn through these channels, as all other channels are either obstructed or act with such sluggishness as to be equivalent to paralyzation.

The most delicate point to consider is the possibility of any decisive conflict, or at least serious perturbation, from the want of tact of the International Company in its administration, or from any ulterior purpose on the part of the American politicians, who have already, through some of their organs, expressed themselves touching the definite incorporation of Lower California to the United States by purchase. Should these manifestations increase, the only means to ward them off would be to maintain an intermediate position, avoiding both noisy declarations and vituperable indifference. It is undeniable that the integrity of the national territory is not to be preserved by means of the petty policy of isolation and separation which has been suggested and which the law of social economy must overturn in its irresistible evolutions. Further, the decree of February 1, 1856, which prohibits foreigners from acquiring property within a zone of twenty leagues from the frontier, is an anachromism incompatible with the establishment of railroads, which to-day cross the northern frontier, thus manifesting its inefficiency.

The solitude of the deserts and barbarism were the natural dykes which in former times separated the two neighboring countries, but already breached by the increasing development of the two republics, though in unequal ratio, the public faith which inspires and maintains the rights of nations, and, as far as possible the equilibrium of the moral and material forces of neighboring States, is what should replace such puny barriers.

The present circumstances which at present exist in Lower California are the proofs which mark the distance between the theory and practice of these principles. The decree of February 1, 1856, notoriously useless on the whole frontier, is nevertheless pertinent to the present case, until the Supreme Government determines upon the necessary steps after the inevitable dismemberment of the International Colonization Company.

In the construction of the Peninsula Railroad, different from the colonization scheme, the outcome of which is vague and dilatory, is a fact visible, tangible and weighty. The conditional form, so difficult to enunciate in the practice of the second statement, is here perfectly applicable. If it be desired to avoid the separation of the peninsula from the republic, it is indispensable that the railroad which is to join it to the interior of Mexico be undertaken before it reaches its highest degree of development under the influence of foreigners.

The public registry, compulsory and not discretional, as it has been up to date, is another measure which would afford protection, not only for the present, but in the future. The expediency of this reform is manifest for both periods; for, once the Americans are settled in sufficient numbers in the country, they would have recourse to the credit bond system so generalized in their business, and if they do not find a prepared foundation for a banking system and a territorial credit by an authentic register of real estate they will undertake notwithstanding any law to the contrary, whatever operations this system may indicate. The length of this report will not permit me to insist upon the necessity of celebrating a monetary convention with the United States, and compel the railway companies to extend their pooling with the northern roads to the Mexican lines; for, while this depreciation of values, and the indirect, gradual but sure annihilation of the centers of national products exists on account of the tariff system which is now in use, any sacrifice made to establish colonies undermined in their foundations by these depressing causes were fruitless.

The solution of the subject in the active condition of affairs is yet possible, for it requires but energetic action on the part of the Government to give to it the slow but sure impulse which characterizes well intentioned organizations.

Without presuming that the opinion I am about to express would be altogether efficacious to re-establish harmony among the elements which are actually in conflict, and which would be always at variance, I take the liberty to state that the most practicable method for the present is, that once the nation be re-possessed of the public lands in the territory of Lower California, between parallels 29 deg. and 32 deg. 42 min., in consequence of the forfeiture of the contract of July 21, 1884, to which the infractions committed by the International Colonization Company have given rise, be re-surveyed accurately, and put on the market immediately for foreigners and citizens one-half of the alternate lots that result, not in geometrical quantities of equal extent, but in practicable divisions according to the agrodetical system practiced by the commission empowered to make the survey; prescribing also the preliminary inscriptions obligatory to all deeds which establish the transfer or cancel the possession of real estate.

In this manner the portions that the nation would keep under its dominion, protected by deeds, would constitute a natural and legitimate defeuse against the evil aspirations aroused, the treasury would at the same time receive a positive benefit in the increased value which this reservation would acquire when interwoven with the general progress of the peninsula.

PART 11.

THE MEXICAN COLONY OF TECATE.

Having received at "La Ensenada de Todos Santos," in the middle of January, a communication from your Department dated the 17th of December last, notifying me to extend to the colony of Tecate the visit of inspection which I had begun with the International Company, I proceeded to execute the same, informing myself first of all of the antecedents relative to the settlement.

The decree of March 14, 1861, special to Lower California, ordered in its Article 7 that up to two caballerias of vacant land should be given free to the poor of the territory, with the proviso that they should settle and cultivate the same, and in Article 9 ordered the application of *twenty sitios de ganado mayor* each one in proximity to the frontier, for the formation of two colonies composed of Mexican residents of the territory ceded to the United States, who might wish to return to their own country and establish themselves in the locality, in conformity with the ordinance the Government might decree upon the subject.

Miserable, if not barren, were the fruits of this decree; and on December 14, 1874, another, which might be considered the complement of the former, was published, inasmuch as it facilitates and smoothes the difficulties and irregularities that presented themselves to the occupants, who up to that time had lived on the place, and stimulated them by the free donations of titles to property, to the observance and compliance of the decrees relative to vacant lands and colonization. This decree was the cause of the formation of a committee which acted for some time, and the professional section of which drew up the plan to the projected Colony of Tecate, a copy of which was sent to me by your Department. The extension of the colony is embraced within a rectangle with a base of 33,500 meters and a side of 10,475 meters. The area corresponding to these factors is 35,112 hectares and 20 ares, equivalent to one of the fractions of 20 sitios designated by the Decree of 1861. This plan was drawn up by the second engineer of the Commission, Mr. Fiacro Quijano, who authorized the same at Tijuana on the 19th of November, 1876.

In its appearance this region is attractive, and denotes a certain degree of fertility. The climate is mild, and although the rainfall is slight, it is compensated for by abundant dews, which keep the atmosphere constantly humid. The configuration of the ground is characterized by a series of undulating hills, the general direction of which is from east to west, and forming slight spurs springing from the peninsular range. Between the slopes extend the valleys whose breadths vary, but nevertheless of sufficient capacity for the purposes of cultivation. From the opening, situated at the western extremity, and as far as the opposite point, and in the direction of the greater axis of the principal valley, are situated the small number of houses inhabited by the members of the colony, separated into different groups, known by the names of La Puerta, Tanama, Tecate, San Jose, San Valentin, El Salto and Canada Verde.

From the census formed on the 23d of April last, during the visit I made to the place, accompanied by Mr. Orozco, the civil engineer, there were eighty persons inscribed, the major part of whom were heads of families; six more were added afterwards, from the declaration of the Judge of Demarcation, at his request.

Of this number fifteen hold title deeds, recently registered by the Commissioner of the Department of Public Works, M. Maximino Barragan. Of these there are ten who possess holdings of 83 hectares 58 ares, four who possess but 41 hectares 79 ares, and another who possess 63 hectares. The total extent occupied by these holdings is 1,057 hectares, which, compared with the 1,070 which Mr. Barragan, the Commissioner, stated in 1885 as representing private property situated at Tecate, and noted down by Mr. Denton in his plans, there results but a difference of 13 hectares, arising from an error either in the survey or in the annotation, but at all events excusable.

From a tabular statement in your Department, formed in October, 1855, of the vacant lands, wherein reference is made to the section which had been divided, it appears that for the township of Tecate forty-six title deeds had been issued, corresponding to as many lots, the total surface of which measured 2,947 hectares 56 ares. The difference between these figures and those of 1,057, which now represent the holdings protected by title in Tecate, is not at first sight explicable, but by comparing the antecedents which exist in the office I mentioned with the lists I remit among the vouchers, it will easily be seen whether the names of the beneficiaries agree. Should this not be the case, it is evident that those which do not appear in the list recently formed correspond to parties who have abandoned the holdings they had received, and which are therefore at present vacant.

There follow the names of seventy-one persons inscribed in the census, who actually occupy small fractions in the locality, and who each petition for the adjudication of 83 hectares. The total area which these grants would represent, upon the supposition that they were conceded, would be 5,893 hectares, which, added to the 1,057 already distributed, would give a total of 6,950 hectares, which would barely be the whole arable part of this section, for the proportion between it and the sterile and rocky ground of the mountains is as one to five.

The local Judge of Tecate sent to Mr. Orozco and myself a communication dated April the 23d, in which he states, in his own name as well as in the name of the neighbors of the locality, that it had come to their knowledge that the International Company claimed the zone belonging to the colony, and petitioning for the transmission of the fact to the Supreme Government, in order to receive therefrom the protection which they trust will be extended to them to cover their interests.

Agreeable to the text of this communication it appears that in March, 1885, they had already sent in a complaint to your Department, mentioning the occupation of certain portions of land embraced within the limits of the colony by foreign citizens, of which abuse the Supreme Government had already taken note, mentioned this fact in an answer sent to the complainants, dated the 9th of April of the same year.

If it be true that the International Company lays claim to the twenty sitios (twenty square leagues) which the little colony occupies, it would constitute a crying outrage. Besides the legal title which protects it and which extends to the other fraction of the 20 sitios, which the Government should reserve for the establishment of the second colony, in conformity with the decree of March 14, 1861, not even the formalities of the marking of boundaries have been complied with, as may be proven by the certificates which I herewith enclose, in which the local Justices, who have succeeded each other since 1883 up to date, maintain that no scientific commission in the name of the International Company, has cited their appearance to certify to the operations of survey in that zone, a form which would have been essentially irregular, for it is not these Justices, but the District Judge, who should fulfill this duty, in compliance with the organic law of colonization and the circulars relative thereto. The form must nevertheless have been complied with, for the attorney of the first grantees, lawyer Gandara, made out a petition on the 5th of July, 1883, to the effect that the Court should delegate to the above mentioned authorities the functions indicated, and the Court decreed in conformity with the petition.

This concise description of the settlement shows at once its precarious situation. Investigating the causes which originate it, for the purpose of applying an effective remedy, the lack of self-government which was essential at least at the commencement, is to be noticed. Without wishing to diminish in the least the patriotic project embraced in the above-mentioned Decree of 1861, attracting and establishing the elements of a natural population dispersed in foreign countries, there is too much of the artificial element in its execution not to require the help of adventitious aids in order to make the project feasible. The attraction produced by the liberality of this act is not sufficiently powerful to overcome the obstacles which those who obey the call have to meet—individuals who are and in general have been persons of humble origin, to whom even the most rudimentary forms of a petition are an indescribable mystery. The want of contact with administrative centers makes the consultation of cases of the most obvious solution a matter of difficulty, and explains how they fall most involuntarily into mistakes.

Hence the necessity of tending the steps of this tottering community, so that associating this step to whatever other aid the administration may wish to afford, it may be properly fortified, so preparing it to progress through its own vitality.

The complete isolation in which the colony stands also explains its decadence. The regular ways of travel which connect it with the interior of the peninsula meet at the post of El Carrizo, situated on the road from Tia Juana to Ensenada, at about 36 kilometers from Tia Juana on the dividing line, and about 105 or 110 kilometers from Ensenada, From this post to Tecate there is, a distance of some 25 to 30 kilometers, a broken and scarcely marked road, whereon a few vehicles occasionally run.

The usual communication must of necessity be brought from the American side. This road was built from San Diego to Fort Yuma, and which in its length passes two towns, El Potrero and El

Campo, both close to the dividing line, which is here very imperfectly marked by monuments No. 4 and the following, very much destroyed, and which I have mentioned when treating of the limit of the concession granted to the International Company.

From what has been shown, I beg to suggest to your Department to proceed with the organization of this group, and should it deem it convenient, determine at once upon the location of the other 20 sitios, so to form a connection between them and the port of Ensenada, by means of a temporary road at least. It were convenient also to register with scrupulousness the existing titles, and once arranged within an amply pre-determined period, the petition of the new claimants, which might be favorably considered, should receive their respective titles through the Inspectors of Colonies, whose duty it would be to issue these documents, in order to avoid the confusions, losses and delays which up to the present time have been an annoyance to would-be claimants.

In order to consider as concluded the part relating to this group, I have to fulfill the special encargo of the Mexicans who compose it, and who wish the same to be made known to the supreme authorities of the nation. The inhabitants of the little colony con. sider themselves as honored when presenting to the said authorities the testimony of their respect and fealty, and most earnestly supplicate them to grant them their most efficacious help and protection, in order to prevent the consummation of the outrages threatened against their interests. Many amongst them form the remainder of the veterans who forty years ago defended the nation, and who, now mutilated or decrepit, have not even the strength sufficient to leave the homes whence an attempt is made to eject them; others, courageous volunteers, who hurled from the peninsula the filibusters who invaded in 1854, and who maintain the hope that they may leave as an heritage to their children the atom of country which they purchased with their blood. The cry of these three generations is condensed into one voice, which is: "Let the nation protect the homesteads we occupy by the triple right of law, struggle and labor."

PART III.

THE MINING COLONY OF EL BOLEO.

On the 26th of February, 1887, I arrived at Guaymas for the pur- of taking the steamer "Korrigan," belonging to the mining company of Santa Rosalia, and going to that port; but I found that, having suffered some damage in the month of November last, repairs had been commenced upon her, and the marine railway, which in its turn and through unforeseen circumstances became useless from the breaking of some of the rollers, thus causing me some delay. The vessel was launched again on the 6th of March following, and I arrived at the above-mentioned port on the 8th of the same month. On the 9th I called upon the director of the colony, Sr. Pedro Escalle, gathering through him the information for the formation of this report.

From the copies of the documents regarding the subject, which I include among the vouchers, your department may obtain the knowledge as to the position of this company in relation to the fulfillment of the contract; but it is satisfactory to me to be able to proclaim the loyalty and good faith which Mr. Escalle stated frankly and without hesitation, the causes which gave rise to the irregularities into which he has fallen and the sincerity with which he petitions the Supreme Government to reform Article 5, relating to the conditions prescribed for the establishment of colonists.

The petition of the director of the company is in my opinion well founded, for the nature of the work, and consequently the necessities and aspirations of the workmen, do not manifest any tendency to settle in that industrial center for the purpose of making a fixed residence in any determined place, much less to improve the property acquired, in small agricultural enterprises.

Heedful of the clauses of the contract, the company measured off the surface in the perimeter of which are embraced the eleven holdings designated, and in them are parcelled out, the central establishment of Santa Rosalia, to the north La Soledad, to the northwest El Purgatorio, and to the southwest Providentia. As to the truth of this statement, I convinced myself by an examination of the plans and inspection of the grounds.

Considering that the best proof of the personnel mentioned in the census which I asked for, would be the pay lists, I stated to Mr. Escalle my desire to obtain the list corresponding to the last monthly balance made out, and, having agreed to take the month of January as a sample, he ordered the formation of the tables, which I enclose with the balance of the vouchers.

The working of the mining camp of Santa Rosalia embraces the preparatory and special labor of excavation, picking, scaffolding, hauling, filling, extraction and ventilation; and those of the reduction works, which are executed in the central group, where the offices extend to the auxiliary departments of their laboratory, work-shops, railway, warehouse, wharf, dwellings, water tanks, offices of the engineers and clerical department.

The plant of the reduction department itself embraces in its turn the four boilers which feed the engine that transmits the power for the movement of the machinery for sifting, loading and hauling the material, four ovens (two metallic and two composite) and one boiler and engine on wheels, applied to different purposes. The railway is a narrow-gauge, 26 kilometers in length, and joins the Santa Rosalia group with that of La Soledad, and from it there spring two branch lines, one from La Soledad to Purgatorio, and the other direct from Santa Rosalia to the group of La Providencia.

Four locomotives are used, one passenger coach and sufficient rolling stock in the shape of platforms and freight cars, for the transportation of the ores. The wooden wharf which the company built, from its very start underwent severe damage, in consequence of heavy seas which destroyed the outer extremity. The coast here offers no secure shelter for a considerable distance, but some kilometers further north there is a bay which is better adapted than the open coast line is now located.

After the inspection was concluded, and while Mr. Escalle was preparing his report, I went to Mulege to see the Sub-Prefect of the locality, D. Francisco Navarro, whose courtesy I begged, asking him to send me (as soon as the duties of the office of which he had recently taken charge would permit him), a list of mining groups embraced within the jurisdiction under his charge. Mr. Navarro at once made a visit to Santa Rosalia, and formed his judgment of the negotiation, returning to his official residence, whence he remitted to me, on the 10th of April, the copy of the abstract of the census collected by the company, and which I consider acceptable until the sub-prefecture can form its own directly.

The director of the company, under date of the 3d and 10th of the same month, sent me sixteen vouchers, which are:

1. General abstract of the census of the colony.
2. General abstract of the census of Santa Rosalia.
3. General abstract of the census of Providencia.
4. General abstract of the census of Purgatorio.
5. General abstract of the census of Soledad.
6. Memorandum of the pay list of the group of La Providencia, for January, 1888.
7. Memorandum of the pay list of the group of Purgatorio for January, 1888.
8. Memorandum of the pay list of the group of La Soledad for January, 1888.
9. Memorandum of Santa Rosalia, including:
    (*a*) Pay list of reduction works, 48.
    (*b*) Pay list of laboratory, 49.
    (*c*) Pay list of work-shops, 50.
    (*d*) Pay list of railway, 51.
    (*e*) Pay list of warehouse, 52.
    (*f*) Pay list of port, 53.
    (*g*) Pay list of habitations, 54.
    (*h*) Pay list of water-works, 55.

Among the memoranda of vouchers that coincide respectively with the numbers 23, 41, 42, 43, 44, 45, 46, 47, 48 (*a*), 49 (*b*), 50 (*c*), 51 (*d*), 52 (*e*), 53 (*f*), 54 (*g*), 55 (*h*).

The accumulated accounts in the census sheets show the scrupulousness with which the inscriptions have been made out. Their totals give 2,466 inhabitants, of whom 1,537 are men and 931 women; of the former 1,055 are over sixteen years of age, and of the latter 570.

The pay roll shows that in the month of January $18,556 22 were disbursed. The number of workmen was 536, the number of day laborers 12,091, and the average pay was $1 53 per capita.

The wages paid in the reduction works and for accessory services amounted to $15,950 97.

The number of workmen employed was 519, the number of day laborers 9,250, and the average salary $1 72.

The general total was 1,055 workmen, 21,349 day laborers; the amount of wages, $34,507 19, and $1 61 average wages.

The general statement of this negotiation, of which the foregoing numbers give an accurate idea, is, as will be seen, sufficiently satisfactory, and this result cannot be charged as partial, because it is drawn from the general assemblage of facts that have been ascertained, which, by their successive links, manifestly show their accuracy.

The mining done, the buildings and officers' quarters completed, the machinery mounted, and the railroad and other services already in operation, prove the outlay of more than three million dollars, which the company has spent in the locality. Here we see personnel vouched for by wages, the wages by the work, the work by the products, and the products by tangible results, such as the shipment of an invoice of two thousand tons of copper that an English sailing vessel was taking aboard at the time of my stay at Santa Rosalia, after unloading the same weight of coal to supply the workshops.

The solvency of this company, the good faith shown in its designs, the proper execution of the works carried on by select individuals, give good cause for congratulating the nation for having obtained the firm establishment of a beneficial settlement, and one which promises a great future for this portion of Lower California.

I deem the reform of the contract to be a necessity, for the population has in fact taken root in this locality, and as a compensation for the suppression of the clause which obliges the company to concede a square of fifty meters each way to each one of the sixty-six colonists specified in the contract, the building of a wharf for the service of the harbor, either of stone or of metal, might be exacted.

The by-laws which the director of the colony causes to be observed relating to the deduction of the custom-house dues in favor of the colonists, the inspection of which is accessible to the collector of that port, in order to make the compliance effective, insures the interest of the company, its employees and the Treasury. . I include a copy of the document among the vouchers.

Upon returning to La Ensenada de Todos Santos, on the 29th of March last, armed with the report of Mr. Escalle, I showed Mr. Max Bernstein the contents, and suggested to him that he follow the example, and set forth with sincerity the situation and real facts that had transpired in their relation to the contract drawn up between the company and the Government. By proceeding thus, it was my purpose to avoid the scandal which might result from the divulgation of these facts, without any detriment to public interests, which might easily be protected by the administration, had the company wished to co-operate in good faith in the realization of this plan.

Mr. Bernstein refused to acknowledge the responsibility supposed to be vested in him, and gave me to understand that Mr. Sisson was about to return to the colony, and that he was the only person capable of deciding upon the matter. I mention these details, as they explain the tenor of my telegram of the 20th of last April to your Department, and the cause of my detention up to that date.

Giving greater breadth to my personal affairs, I shall further state that, persuaded as I was, from statements from reliable sources, that Mr. Sisson had no idea of appearing at La Ensenada (which statement has since been verified), I exacted from Mr. Bernstein his report, which finally came to my hands on the 8th of last month, and on the 14th the answer of the Judge of the Second District, equally essential for the drawing up of this memorial, was received. The date of these two documents, as well as General Torres' letter, which I enclose, marked No. 32, justifies the fact that if I have not rendered my report before and within the time of fifteen days allowed me, by your Department by telegram dated April 26th last, it has not been from neglect on my part, as during the twenty days that elapsed from the 15th of May, when I received the last document, up to date, I have scarcely had the time to arrange this work, which lacks intrinsic merit, but which necessitated the comparison and extraction of the numerical data contained in the census, the comparison of the registry of sales, the calculation relative to the demarcation, the investigation of documents relating to the matter, the compiling of the 162 pages from which this report is formed, the copy of 192 pages of vouchers, and the examination and recapitulation of the reports of the colony of El Boleo, which I remit in the original, in order not to delay any further the remission of this report.

With regard to my immediate return to the capital, I am pained at not being able to comply with the orders concerning the same, expressed in telegrams from your Department corresponding to the 25th of April, already mentioned, and of May 2d, for although in the latter you were pleased to notify me that at that date the funds that I had required on account of salary to cover traveling expenses had been forwarded, I had not as yet received the same, and consequently I was unable to move.

Upon my leaving Mexico, I received $500 as an installment, corresponding to two months' pay, which the Government was pleased to assign to me while my commission lasted. Anticipating any delays in the fulfillment of the same, the chief officer of the Department under your able charge stated to me that he would be careful to remit to me funds, should this trip be prolonged.

Counting upon this promise, and through the intervention of General Torres, the Territorial Governor, who had the kindness to give an extra unofficial guarantee to the Collector of Customs of Todos Santos, I received $250 in February, which amount that office has not been reimbursed; towards the latter part of March a supplementary amount of $150, that the Collector of Nogales asked for at my request directly from the home Department, when I returned from Santa Rosalia. Liquidating my account up to date, there remains to my credit a balance of $600, which I have no intention to collect, but which I mention in order that your Department may know to what to attribute my remaining here, supporting myself with difficulty upon my slender resources.

With what I have stated, I believe I have fulfilled the commission with which the Supreme Government has been pleased to empower me, and which commission concludes with the presentation of this report. But the nomination being correlative, as stated in the communication conferring the same, regarding my position as Inspector of the Railroads from Puebla to San Juan de los Llanos, and from Puebla to San Martin Tezmelucan, I have the honor to renounce the office. Thanking the Supreme Government for the confidence it has been pleased to repose in me, I am,

Very respectfully,

Your obedient servant,

M. SANCHEZ FACIO.

San Diego, Cal., June 4, 1888.

ANSWER OF MR. LUIS HULLER

To the Report of M. Sanchez Facio.

Section I. Advices from the Secretary of Public Works.

Forward to the Mexican International Company the report of Mr. Manuel Sanchez Facio, upon his visit of inspection to the colonies of Lower Califnrnia, in order that it may render a report in defence upon the charges which result from that document. A rubric.

DEPARTMENT OF STATE, COLONIZATION, INDUSTRY AND COMMERCE, MEXICO,—Section I. No. 1,328.

Mr. Manuel Sanchez Facio, on the 4th day of June last, reported the following:

[Here the report.]

I have the honor to answer in the name and representation of the Mexican International Company, your communication of the 5th of October last, submitting the report requested of me, and which report is fully rendered with the many official documents existing in your Department.

First permit me to state that having to confine myself to the points which the Department in your honorable charge urges, I shall take no notice for the present of the inaccuracies and of some slanderons appreciations which the report, that Mr. Manuel Sanchez Facio, as inspector or visitor of colonies, has given to that same Department, contains, a report in which groundless charges are brought against the Company, judgments foreign to the fulfillment of the mission and which, recommended to the notice of one Inspector, are sent abroad, and even resolutions which might injure the legitimate interests of the Company, are initiated. I omit then to refer to the cited report, for the explained reasons, stating only that I do not desire to investigate the motives which prompted the pen of Mr. Sanchez Facio, nor to refer to any other antecedent which may not be required by you, nor anticipate the object to which the author of the same report tends.

The first charge made against the Company is that the list of colonists embracing eight hundred and seventy-two persons, is inaccurate, since, as is proven by the Roll of the "Jefatura Politica, contains supposed names," a charge which in the judgment of the informer cannot be refuted and against which, fortunately, arguments abound which justify the Company.

You know, Mr. Secretary, that not even the tariff on the articles for the colonists which ought to be free, is regulated; very frequently collisions and conflicts have occurred between the colonists and the agents of the Revenue that very often the payment of the duties on the articles and effects exempted by the colonization law and by the contract of July 21, 1884, has been insisted upon, and that upon the arrival of colonists in the country the assurance that the most of the effects and articles which they bring with them are exempt from the duties of importation, they suffer the discovery of the error by which they were deceived, when the payment of duties is insisted upon. Some of those colonists have classified this act as an unjust taxation, and have gone to the United States establishing themselves in San Diego or in other places close by. Naturally the names of these persons are wanting in the list to which the inspector refers and also the names of those colonists who for various reasons have abandoned to which they came to establish themselves. This act is so natural, it is repeated so often in many parts, that it is useless to stop to refute the charge of falsification which the inspector formulates, without stopping to consider that the act explains itself in a satisfactory manner. If some of the persons who came to the Colony of Ensenada—and this constitutes another of the charges which Mr. Sanchez Facio formulates—do not bring certificates issued by the authorities of the place from which the colonists come, certificates from consuls or inspectors, this act does not constitute a grave offense on the part of the Company. In its judgment, the consuls and the inspectors are worthy of perfect trust and confidence, and it has not thought just to send back those colonists who present any of those certificates without taking into consideration that it would be unjust and inhuman to compel an immigrant who has come to the country protected by a document issued by a Mexican Consul or an inspector of colonies to return.

It is true that in some cases immigrants have come to Ensenada on their own account, and have received neither lands nor working implements, preferring to buy animals and farming tools which they need, instead of the former, and it is already understood that the Company has no authority to use coercion upon well-to-do men who bring to the colonies not only the quota of their intelligence and strength, but of their capital. This act which has appeared so grave in the eyes of Mr. Sanchez Facio, has produced the readiest, greatest and most favorable results, as is evident to that Department, as well as to the Department of Finance. If all the colonists were in need of capital, and if the Company did not admit those who have not received from it lands and the indispensable instruments for labor, the development of Ensenada would not have been so rapid.

The Government and he country know that lands which were a short time ago waste, are to-day settled; that trade increased continually, and that the number of passengers who come to Ensenada in the Company's steamers and in others, is greater than the number of those who land in the principal ports of the Republic. Without those colonists who put into circulation a capital which employs many hands, and who devote themselves to agriculture and to various industries, the Maritime Custom House of Ensenada, which four years ago, with its ingresses, could not pay its own employees, would not be able to produce to-day $200,000 annually. This fruitful result for the country and for the public treasury is due to the protection of the law and of the Government, but also due directly to the Company and to the colonists brought by it, since in Ensenada, San Quintin, Punta, Banda, etc., there exists neither capital nor help, except such as furnished by the Company and by the colonists.

The fourth charge which the inspector makes against the Company is contradictory with the sixth. First, he says that the number of colonists is fifteen, afterwards, that the Company has distributed 74.13 acres of land among thirty colonists. Without stopping to explain this contradiction, which naturally explains itself, and which may cause a severe censure upon the report, or a charge founded upon the shallowness of Mr. Sanchez Facio, I will only say that the Company is authorized to establish agricultural, mining and industrial colonies in the Territory of Lower California, and that an industrial or mining colony does not need any land or asks for a small area. It is evident to your Department that many industries have been established, because in every case it has been appealed to petitioning for the franchises and and exemptions which the cited 16th Article stipulates.

Many of those petitions have been published in the Diario Oficial of the Government of the Republic.

Mr. Sanchez Facio says that from the schedule arranged by the Primary Court of Claims, it appears that in the register of public instruments, the Company has represented only seven transfers of lands, while in the private register one hundred and thirty-four transfers appear, concealing fifty-eight lots out of the sixty-five which were sold to Messrs. Hanbury & Garvey.

In formulating this charge, the inspector does not bear in mind the fact that many of those contracts do not represent a value exceeding five hundred dollars; and it belongs to the purchaser and not to the seller to investigate the respective documents, nor does their exist, at least to my knowledge, a fixed term for making such an investigation, nor can the fault in any case arise from the negligence or ignorance of the purchasers.

There has been no such concealment, and even had there been any such, in no way could it have furthered the interests of the Company.

The informant says, that the Company sold to Messrs. Wetmore and Fitch the ranch of Santa Rosa, which comprised 26,548.42 acres of land, while the colonization law permits the alienation of only 6,177.5 acres for each individual. This statement is correct with regard to the sale which was made in accordance with the law of May 31, 1875, and disposing of the third part of the lands which, according to Article I, Section VI. of that law, belongs to the Company. Moreover, evidences appear in that Department that permission has been asked to make such alienations as the one made in favor of Messrs. Angus & Bosqui.

Mr. Sanchez Facio affirms that the plan of settlement of Ensenada lacks signature, date and scale, and lacks six blocks; furthermore, on the list of transfer of lands it appears that in three of said blocks, Messrs. Bernstein, Ochmich & Henry own lots, and that said plan represents the existence of three hundred and one houses, while in the roll of the "Jefatura," only two hundred and thirty-one houses were registered. These two charges are formulated because the obligations which the Company is under, according to the stipulation of this contract, are confounded with those which have not been laid upon it, because, perhaps, they cannot be laid upon it, regarding the lands which the Company has acquired from private individuals and not from the Government, and not according to the stipulations or the contract.

Since many of these lands in which the "Colony of Carlos Pacheco" is situated belong to the Company, it having acquired them from private individuals and not from the Government, those charges seem to disappear, the inaccuracy of the plan and the lack of seventy houses in it, only, remaining as such.

Mr. Sanchez Facio says that in the Company's documents and in those of the Court it appears that the price per hectare varies between $160 to $1000, insinuating thereby that some of the transactions are not accurate.

To the simple surmise of the Inspector very little can be replied to, but I can affirm that there is accuracy in the transactions, as is shown by the article of agreement which exists in the documents of the Court and those of the Company. This could not constitute a transgression even if the lands previously belonged to the Government, or if they were situated in the third part which corresponds to the Company; but much less can the charge be regarded as such when treating of lands bought by the Company from private individuals, and these lands being private property, the Company has the right to alienate them in terms that it may see fit.

The Inspector has treated the affair with Messrs. Hanbury & Garvey at great length, both as regards the suit brought by these gentlemen against the Company, and their character as agents of the same; and if the Company were to return answer for answer, it would state that Mr. Sanchez Facio stepped beyond the limits of his duties. Nor can the fact that the Company had agents or subjects to sell lands be considered as a charge, much more so, when relating to lands acquired by purchase from private parties; nor is it the duty of an inspector of colonies to investigate what passes between two private parties and a Company, much less so when it is within the attributes of the Courts to resolve these questions. Nevertheless, as it is the purpose of this report to satisfy the Government, I shall state to you that Messrs. Hanbury & Garvey were, but are no longer the agents; that the suit initiated by them was settled by means of an adjustment which satisfied the conflicting interests, and that these gentlemen are to-day, the most active co-laborers of the International Company. Mr. Sanchez Facio could not ignore this; but it appears that he had a special interest in accumulating charges against the Company, though they were all of the same frivolous nature.

The Inspector states that from the vouchers which appear in the respective Courts regarding the survey of the lands which now belong to the Company, the same was only carried on from the 3rd to the 8th of January, it being utterly impossible that three thousand square miles could have been surveyed in that time. In fact, it would be impossible to measure such an extent of land in five days, as appears to have been the case, from Mr. Sanchez Facio's wording of the charges, without previously consulting the many documents and notes that contradict him. The contract was signed on the 21st of July, 1884, and, both in your Department and in the District Court of La Paz, there are the proofs that the survey of the lands commenced within the following three months, as determined by law, and that the surveys were concluded two years afterwards, and even this, the Company was enabled to do, by making as much use as it could of the surveys previously executed by other companies, which entailed heavy expense, although not so heavy as those incurred in order to finish the survey.

Furthermore, the respective plans were presented to the Department under your charge, and were approved, after a conscientious examination of them had been made.

Mr. Sanchez Facio believes that he strikes the Company a deadly blow by affirming that within the surveyed portions, private properties have been included and that the Company itself has suits pending ; an accusation which signifies naught in the second part and but little in the first. The suits brought against the Company, which have been but very few, have been before the Courts, and to them falls exclusively the right to pass judgment in conformity to the laws, a state of affairs which is of daily occurrence and takes place everywhere, either with companies or with private individuals as everywhere bastard interests are in constant agitation.

This alone should be sufficient to answer the charges ; but Mr. Sànchez Facio gives the Company an oppurtunity of stating what it has done regarding private properties. Whether the Company has believed that any of the complainants showed any right in their demands, it has entered easily into an adjustment, and these adjustments have caused very heavy expenditures. In your Department there exist the vouchers which accredit what I state in regard to the matter ; your Honor knows the name of many of the estates which the Company has lately purchased from the complainants, after the lands had been paid for into the Treasury according to the contract, and your Honor also knows that the Company has preferred making heavy disbursements to sustaining lawsuits which would have made both the Company and the complainants the sufferers.

But this is not all. The Company had paid into the Treasury of the Goverment the value of the lands which had been granted to it by the Government when the Department of Finance believes that the Ex-Missions should not be considered as vacant lands, but property reverted to the Nation, and consequently the right to dispose of said ex-mission lands belonged exclusively to the said Department.

The point was perhaps debatable, but the Company did not wish to raise any difficulties for the Government or for itself, and drew up an agreement with Mr. Dublan, for the purpose of repurchasing said lands, the value whereof was paid in cash and in the terms set forth by the said Department of Finance.

There is still more to be said upon the subject, and to which I wish to call your attention. Mr. Dublan stated to one of the representatives of the Company, in this Capital, that there still lived on the ex-mission lands a few poor persons without any title to show them as owners of the ground they cultivated, and that it would be very hard both for the Government and the Company to oust them. In virtue of this humane and patriotic observation, there was no difficulty in stipulating, and the stipulation was immediately approved by the Company, that such parties who had been cultivating said lands for a period of eight or ten years should be considered as proprietors of said grounds.

The inspector states, without referring to any determined party, that the titles which protected various individuals in their property were taken from them, giving to the owners in lieu thereof a certificate which accredits them with the possession of eighty hectares of land. In certain doubtful cases the Company may have celebrated transactions of such a nature, counting upon the will of those who pretended to be owners or who had doubtful rights to some small extension of land ; but Mr. Sanchez Facio wishes to state that the legitimate owners have been despoiled. As your Department knows, the Company has never been able to despoil anybody, because it has not the moral and physical force necessary, and it should have consummated such spoliations, there is no doubt whatever that the interested parties would have complained to your Department, to the Tribunals, to the Agents of the Departments of Public Works and Finance and to the Political and Administrative authorities of the locality. These complaints and accusations have been formulated because such *spoliations* have not been committed.

The Inspector insures that the Company has transferred to foreigners, lands embraced within the frontier zone, as well as others which do not belong to the Company, so violating Articles 1, 4, 7, and 8 of the contract. This accusation might appear to be of a serious nature, if it were true, but fortunately it is not so. The Company might perhaps argue that the Constitution of the Republic grants the same civil rights to foreigners as to the natives ; that Article 1 of the contract of July 21, 1884, is not restrictive since by it, the Company is authorized to establish agricultural, mining and industrial colonies in the Territory of Lower California, between parallels 29 degrees and 32 degrees 42 minutes latitude North, and that a decree from the Supreme Court of Justice would favor the interpretation; but the endeavor is to show the inexacitude of the accusations formulated against the Company by Mr. Sanchez Facio, and to this I shall restrict myself.

There exists an agreement to transfer to a Foreigner, lands as embraced; but the agreement is but initiated and not consummated, and consequently can not as yet produce any effect. The permission of the Government is awaited in order to carry out the contract.

The second part of the accusation cannot be seriously refuted. How could the Company sell lands which do not belong to it? How could it find purchasers for alien property? If this be unlikely, as it is really so, the result is that the Company has not violated the Articles of the Contract cited by Mr. Sanchez Facio. It has not violated Article I, for the reasons stated; nor the 4th because the plans relative to Cedar Island have been opportunely presented to the Department of Public Works for its approval; nor the 7th, because it imposes no other obligation upon the Company than that of paying for the lands it transfers, nor the 8th, for exactly the same reasons. From their baselessness, these accusations deserve a name which I withhold, they merely show that the proceedings of the Inspector have been far from impartial. This gentleman affirms that in the Colony "Carlos Pacheco" there is no Municipal Government, to which it might be answered, that fifteen, or to the utmost thirty colonists could not be governed under a Municipal regime, and that is the number of colonists established by the Company so stated in another part of the report. But this not being true and the "Carlos Pacheco" Colony having a considerable population, the accusation is launched against, not only the Company, but also the local Authorities, the Inspectors, all of the representatives of the Federal Government, who have not had the precaution to establish a Municipal regime in a populons town. The Company cannot establish a Municipal Regime without the intervention and proper help of the Authorities.

The next accusation formulated by the Inspector, stating that Art. 27 and 28, relating to Foreign citizenship have been complied with only in part, cannot be categorically answered, because it does not clearly express the faults which might be committed in the infractions thereof by colonists, but not by the Company. To the former and not to the Company does it belong to fulfill the requirements of said law in its totality. Before answering the last charge, I should state to you, that the Company and I repel the accusation with all the energy of which we are capable.

It is a calumnious imputation, that the Company effects clandestine importations of merchandise, and if this were as the Inspector affirms, he should have presented irrefutable proofs of his assertion. The Company has not been brought to law nor even accused of such deeds: so that, if Mr. Sanchez Facio's statement were true, the Political, Administrative and Judicial Authorities of the Northern District of Lower California would be more to blame than the Company, since they have not denounced nor punished according to law, such as defraud the Treasury, It is also completely false that the Company sells goods at a very high price to the colonists, who are, furthermore, not compelled to purchase the goods or articles which they need, from the Company,

Is it strange, Mr. Secretary, that Mr. Sanchez Facio has only found out the faults committed by the Company and nothing in its favor, a fact which does not speak much for his impartiality. He has seen that it is owing exclusively to the Company that business has progressively increased in Lower California, the establishment of easy ways of transportation by sea and by land, the inception of many industries, the rapid progress of agriculture; but of these he says nothing, undoubtedly because it would be contrary to his purposes.

This Inspector must undoubtedly have seen the large buildings, principally hotels, built by the Company or by the colonists brought by it; he knew of the establishment of telegraph lines, street cars and a wharf, without any subvention from the Government, and that the Company lends itself cordially to co-operate in any material, moral or intellectual work, facts which are within the knowledge of the local authorities, but which did not attract Mr. Sanchez Facio's attention. He either did not know or would not understand that the principal factor of the rapid development of the colonies was the sum of over four million dollars sunk by the company in its many undertakings.

To conclude, Mr. Secretary, I shall state to you that I do not pretend to prove that the Mexican International Company has not committed some faults or errors ; but if these do not exist they are not transcendental nor do they constitute a crime, as Mr. Sanchez Facio wishes to prove, either openly or insidiously. All Corporations, which like the Mexican International Company, turn over large cash capitals; and which require the help of many agents and emplyoees, and have to struggle against bastard interests, against the envy and prejudice which surge and prevail, have to overcome great obstacles.

Your Department is aware that claims have been made against the Company, in every way unjust, and even by such persons whose property the Company has purchased, and the same which it had previously bought from the Government ; it also is aware that the charges brought by certain individuals whose interests the Company neither could nor would satisfy, have been refuted, and it knows that in a multitude of cases that the Company has applied to your Department and to that of Finance, not only for the purposes of soliciting whatever it believed advantageous to the combined interests of the Government and of its own, but also for the purpose of consulting what should be done in order to have the fullest warrantee of suregoing. The Company has never sought to create antagonism between itself and the inhabitants of the colonies, much less between the Government and itself; and, if the latter has committed faults, in no case have they been born of deliberate will, they could not have been very henious, inasmuch as they have not been chastised with the penalties marked by the laws. The Government of the Republic is aware that the complete organization of so many enterprises, all of magnitude, such as the Company has undertaken, is no easy matter. And this is the most proper place in this report, to assure you, that the Mexican International Company will never create difficulties nor conflicts intentionally ; it is the Company that with the best will submits to the laws and authorities of the country, and, desirous of being right in all, has sought and will seek the intelligent co-operation of all such as may wish to favor it, and especially of the Government of the Republic. The intention is to carry out the undertakings begun, believing that thus it co-operates with the powerful resources which it possesses, in the labor of the material progress of the country, initiated by the Government of General Diaz, and the Company believes itself capable of assisting in obtaining this grand object, the more so now, as the Supreme Govornment of the Republic is aware of the elements which the Company already possesses have been strengthened by English capital.

I offer the protest of my marked esteem. Liberty and Constitution, Mexico, November 14, 1888.

(Signed)

LUIS HULLER.

To the Secretary of Public Works—Present.

Let the foreging be published, rubric of the Secretary.

A true copy, Mexico, December 15, 1888.

(Signed)

M. FERNANDEZ,
Chief Clerk.

COMONFORT'S LAW.

Art. I. Foreign settlers and residents in the Republic may acquire and own city, or country property, including mines of every description, either by sale, adjudication. claim or any other legal title established by the common or mining laws.

Art. II. No Foreigner shall, without previous consent from the Government, acquire real estate in the border States or Territories, within a belt of twenty leagues in width from the boundary line.

Art. III. Foreigners who desire to obtain permission concerning that which the above Article treats, must address their petition to the Department of Public Works, so that in view of the same and of the report from the State or Territorial Governments respectively, it may properly give its decision.

Art. IV. In the acquisitions which Foreigners wish to make in consequence of this law, with regards to house or lots to be improved near the town, the actual tenant and lessee will enjoy a right of pre-emption under the equality of circumstances and conditions.

Art. V. Foreigners who by virtue of this law may acquire real estate, will be subject in all relating to it, to the dispositions which may or shall be dictated in the future —upon the transfer, use and preservation of the same properties in the republic, as also to the payment of all kinds of taxes—without being permitted to plead at any time in regard to these matters, the rights of being Foreigners.

Art. VI. Consequently, all questions that may arise concerning such properties, shall be adjusted by the tribunals of the Republic and according to its laws, without any Foreign intervention whatever.

Art. VII. Foreigners who, according to this law, have acquired city, country or mining property, are obliged to serve in the army, in the event it be necessary, to preserve property and to maintain order in the place in which they live. With the exception of these cases, their services shall not be required.

Art. VIII. In order that Foreigners who have acquired property in the Republic may become citizens of the same, it will be sufficient to declare their intention before the District Judge, in whose jurisdiction they reside.

This, together with the petition, being presented before the Department of Foreign affairs, their papers of citizenship shall be granted.

Given at the Palace of the Executive power of the Union, Mexico, February 1, 1856.

IGNACIO COMONFORT.

To Citizen M. Siliceo, Secretary of State, Colonization and Commerce.

COLONIZATION LAWS.

Manuel Gonzales, President of the United States of Mexico, to its inhabitants: Be it known that the Congress of the Union has decreed the following:

The Congress of the United States of Mexico decrees the following:

CHAPTER I.

SURVEYING OF THE LANDS.

Art. I. For the purpose of obtaining the necessary lands for the establishment of colonies, the Executive shall order the demarkation, survey, division and valuation of vacant or government lands that may exist in the Republic, appointing therefor as many commissions of Civil Engineers as should be deemed necessary, and determining upon the plan of operation to be followed.

Art. II. The divisions shall exceed in no case more than 2500 hectares (6177.50 acres), this being the largest area that can be granted to any single individual of legal age and capacity, to be bound by contract.

Art. III. The lands being demarked, surveyed, divided and valued, will be granted to foreign immigrants and to the inhabitants of the Republic who may desire to settle thereon as colonists upon the following conditions:

I. By purchase sale at the valuation price calculated by the engineers and approved by the Department of Public Works, in installments, payable in ten years, commencing in the second year after the settlement of the colonist.

II. By cash purchase, or at shorter period of time for payments than those of the previous section.

III. By gift deed at the petition of the colonist, but in this case the area shall not exceed 100 hectares (247,11 acres), nor can he obtain the title of ownership unless he has retained in his possession and cultivated either the whole or at least the tenth part of said area for five consecutive years.

Art. IV. As soon as there are lands suitable for colonization, according to the conditions established by Art. 1st, the Executive shall determine which of these lands must be colonized at once, publishing a map of the same and the prices for which they shall be sold, procuring in every case that the sale or cession mentioned in the above article be made in alternate lots. The remainder of the lots shall be reserved to be sold under the conditions established by this law, when they shall be solicited, or when so determined by the Executive, who can mortgage them with the view of obtaining funds, which, added to the product of the sale of these lands, must be destined exclusively to carry on the colonization.

CHAPTER II.

CONCERNING COLONISTS.

Art. V. In order that the foreign immigrant be considered as a colonist, and entitled to the franchises which the present law concedes, he must bring a certificate from a Consular agent, or agent of an immigration company or corporation, authorized by the Executive to send colonists into the Republic.

If the petitioner resides in the Republic, he must apply to the Department of Public Works, or to the agents authorized by the same to admit colonists into the colonies that may be established in the Republic.

Art. VI. In every case, before the petitioners be admitted as colonists, they must bring certificates proving their good moral character and previous occupation.

Art. VII. Colonists established in the Republic shall enjoy for ten years, reckoning from date of settlement, the following exemptions:

I. Exemption from military service.

II. Exemption from taxes, except municipal.

III. Exemption from duties on imported and local provisions (when they cannot be procured at home), agricultural implements, tools, machinery, furniture, materials for building purposes, and beasts for burden and breeding purposes—all destined for the colonies.

IV. Personal and intransmissible exemption of the duties on exportation of fruits which they may raise.

V. Rewards for notable works, and special protection and prizes for the introduction of a new cultivation or industry.

VI. Exemption from duties of attestation, signatures and expedition of passports which the Consular Agents shall grant to individuals who come to the Republic with the object of colonizing, by virtue of contracts made by the Government with some company or companies.

Art. VIII. The Department of Public Works shall determine the kind and quantity of articles to be admitted free of duty, and the Department of Interior shall regulate the introductions in such a manner as to avoid fraud and smuggling, but without impeding prompt delivery.

Art. IX. The colonists who have established themselves upon lands devoid of trees, and who can prove that on a portion of their lands, no less than one-tenth of its area, they have planted trees in quantity proportionate to that extension, and two years before the term of the extensions, will have the benefit of being exempted for one year more of land taxes, and, in general, they will have one year more of exemption for each tenth part which they devote to the cultivation of forests.

Art. X. For the election of their authorities and for the establishment of taxes the colonies will be established under the municipal rule, subject to the general laws of the State where they are founded. The Department of Public Works can, nevertheless, appoint agents in the colonies for the purpose of giving better management to the work, and of demanding the reimbursement of the amounts due the Federation for any title whatsoever.

Art. XI. Colonists are under obligations to fulfill the contracts entered into with the Federal Government, private individuals or companies who may transport and establish them in the Republic.

Art. XII. Every foreign immigrant shall, immediately upon his settlement in a colony, make his intention known before a Federal Judge, Agent of Colonization or Notary Public whether he intends to retain his foreign nationality or become a Mexican citizen, which privilege the 3d Sec. of Art. 30th of the Mexican Constitution grants him.

ART. XIII. Colonists will be considered as possessing all the rights and obligations conferred to Mexicans and to foreigners, in their case, by the Federal Constitution, enjoying the temporal exemptions which the present law allows; but in all questions of whatever nature that may arise they will be subject to the decisions of the tribunals of the Republic with absolute exclusion of any foreign intervention.

ART. XIV. Colonists abandoning the lands granted by sale without justifiable cause for more than one year, and before their full payment, will lose the right to said lands and to the partial payment made for the same.

In the case of Art. III, Sec. III, the gift title will be forfeited, if thel and has been abandoned for more than six months without any justifiable cause.

ART. XV. In places destined by the Federal Government for new towns, a gift lot will be granted to Mexican or foreign colonists who wish to establish themselves on them as pioneers; but they will not acquire the title of ownership to said lot excepting when they prove that before the end of two years of settlement they have built dwellings thereon; in the contrary case if possible, they will lose the right to the acquisition. The adjudication should be made in alternate lots.

ART. XVI. Mexicans residing in foreign countries and who wish to establish themselves on the unsettled lands on the frontiers of the Republic, are entitled to a free grant of 200 hectares according to the conditions of Sec. III, Art. III, and the enjoyment for fifteen years of the exemptions granted by the present law.

ART. XVII. The Executive is authorized to help the colonists in cases deemed necessary, and subject to the amounts fixed by the budgets, with the expenses of their transportation, with their baggage by sea and by land, as far as where the lines of railroads reach, for one time only, with fifteen days maintanence gratis, in places determined by the Executive; and with tools, seeds, building materials, working and breeding animals; these last loans must be paid on the same terms as the value of the lands.

CHAPTER III.

CONCERNING THE COMPANIES.

ART. XVIII. The Executive shall be empowered to authorize the companies for the settlement of unimproved lands, with the conditions of surveying, demarking, dividing into lots, valuation and description, and for the transportation of colonists and their settlement on these same lands.

ART. XIX. In order to obtain authorization, the companies must designate the vacant lands which they intend to colonize, their approximate area and the number of colonists they are to establish within a given time.

ART. XX. The operations of demarkation of and survey will be authorized by the District Judge in which demarcation the vacant land is situated, and if at the conclusion of this operation there is no opposer, the corresponding papers will be delivered to the Company so that they can be presented to the Department of Public Works, with the other conditions mentioned in Art. XVIII. But should there be an opposer, then corresponding proceedings will be taken and in which the representative of the Federal Treasury will be held as a party thereof.

ART. XXI. In compensation for the expenses incurred by the Companies in the fitting out of vacant lands, the Executive may grant them as much as the third part of the lands, which they may fit out, or its value; but with the distinct understanding that they shall not transfer the lands granted them, to foreigners unauthorized to acquire them, nor in areas greater than 2500 hectares under the penalty of losing in either cases, the divisions which they may have trensferred, violating these compacts, and the said divisions shall become Government property.

Artt XXII. Lands demarked by the Companies, with the exception of those that may be granted them in compensation for the expenses incurred by them in their settlement, will be granted to colonists or will be reserved in the terms and conditions established by Arts. III and IV of this law.

Art. XXIII. The authorizations which the Executive grants for the fitting out of vacant lands, will remain without effect and without right of being prorogued when the operations have not been commenced within the improrogable term of three months.

Art. XXIV. The Executive may enter into contract with corporations and companies for the purpose of introducing into the Republic and the establishment in the same. of colonists and Foreign immigrants under the following conditions:

I. The companies must determine upon the exact time in which they are to inroduce a specified number of colonists.

II. The colonists or immigrants must fulfill the agreements established in the fifth and sixth Articles of the present law.

III. The basis of contracts entered into between the companies and colonists, must be regulated by the prescriptions of this law and submitted to the Department of Public Works for approbation.

IV. The companies must guarantee to the satisfaction of the Executive, the fulfillment of the obligations brought upon themselves in their contracts, specifying the cases of forfeiture and fines.

Art. XXV. The companies entering into contracts with the Executive for the transportation into the Republic and the establishment in the same of foreign immigrants, shall enjoy for a term not exceeding 20 years, the following franchises and exemptions:

I. The sale of untilled lands or National property at a long period of time and at moderate price, with the exclusive object of colonizing them.

II. Exemption from duties, except that of stamps, on the capital destined for the Enterprise.

III. Exemption from tonnage—except those established for the improvement of the same ports—on vessels carrying for the companies, at least ten families of colonists into the Republic.

IV. Exemption from import duties on tools, machinery, animals for working and breeding purposes, all destined exclusively for an agricultural, mining or industrial colony whose incorporation the Executive shall have approved.

V. Prime for a family established and a lesser one for a family landed; prime for a Mexican family established in a colony of foreigners.

VI. The transport of colonists at the expense of, and on steamship lines and railroads subventioned by the Government.

Art. XXVI. Foreign Colonization Companies shall always be considered as Mexican and must have residence in some city in the Republic, without injury to those established abroad, and are obliged to establish in the country a Board of Directors, and to have one or more persons in the said Republic, amply empowered to negotiate with the Executor.

Art. XXVII. All questions which may arise between the Companies and the Government, shall be adjusted by the tribunals of the Republic, and in accordance to its laws, without the the mediation of foreign diplomats.

CHAPTER IV.

GENERAL RESOLUTIONS.

Art. XXVIII. Private individuals, who may destine a part or the whole of their land for colonization with no less than ten families of foreign immigrants, have the right that the colonies settled in the said lands, shall enjoy the same franchises and exemptions as the colonies established by Federal Government, whenever they submit to the conditions which the Executive may determine, for the success of the colonist, and whenever it is mentioned inthose conditions that the colonists are to acquire either by sale or cession, a lot for cultivation.

The Executive may furnish private individuals with Foreign immigrants, stipulating with them, the conditions upon which they are to establish them, and may aid them also with the expenses for transport of colonists.

Art. XXIX. The colonization of the Islands of both seas shall be made by the Federal Executive, subject to the prescriptions of this law; the Government reserving in every Island an area of 50 hectares for public purposes. In case the area of the Island should not be sufficient to make the reservation advised in this Art., no sale of lands will be made for a short period of time.

In the colonies established in the Islands, the number of Mexican families will never be less than one-half.

Art. XXX. The Executive is authorized to acquire lands from private individuals whenever it shall be deemed necessary, either by sale or cession, to establish colonies in them; the expenditures therefor will be determined by the budget.

Art. XXXI. All previous laws on colonization are null and void.

GUILLERMO PALOMINO, M. C.
President.

ARISTEO MERCADO, M. C.
Vice-President.

SATURNINO AYON, M. C.
Secretary.

ENRIQUE MARIA RUBIO, M. C.
Secretary.

Therefore, I order the foregoing to be printed, circulared and duly fulfilled.

Given at the Palace of the Executive Power of the Union, Mexico, December 13, 1883.

MANUEL GONZALEZ.

To Gen. Carlos Pacheco, Secretary of State, Colonization, Industry and Commerce.

CONTRACT

ENTERED INTO BETWEEN GENERAL CARLOS PACHECO, SECRETARY OF PUBLIC WORKS representing the Executive of the Union, and Messrs. Louis Huller & Co., for the colonization of unoccupied lands in Lower California and Cedros Island.

ARTICLE I. Messrs. Louis Huller & Co. are hereby authorized to establish agricultural, mining and industrial colonies in the Territory of Lower California, between the parallels 29 degrees and 32 degrees 42 minutes, N. Lat., and to survey without injury to any third party who may have a prior claim ; and to colonize Cedros Island, situated in the Pacific Ocean, between the parallels 28 degrees and 29 degrees, N. Lat., subject to the prescriptions of the Law of December 15, 1883.

ART. II. The survey shall begin within the improrogable term of three months from the date of this contract.

ART. III. All the expenses incurred in the preparation of these lands shall be at the charge of the Company.

ART. IV. Within the term of two years from date of this contract, the Company shall present to the Department of Public Works for its approbation, the plans relating to Cedros Island, the execution of which will be subject to the requirements of Article XX of the stated law.

ART. V. As soon as the plans concerning which the above Article treats shall be approved, the title of ownership to the third part of the cleared lands will be granted to the Company.

ART. VI. In order to mark out the boundary lines, the Company is authorized to open roads in the lands awarded them.

ART. VII. In compensation for the services rendered by the Company, and for fees expended in the establishment of colonists, the Government shall grant it two thirds of the untilled lands now being cleared up by a Company in the zone between the parallels 29 degrees and 32 degrees 42 minutes N. Lat., in Lower California, paying for the same at the present lawful rate.

ART. VIII. The Government shall transfer to the Company two thirds of the area cleared up in the Cedros Island at the present lawful rate, to be destined exclusively for colonization ; reserving thereon the 123.55 acres referred to in Article 29 of the Law of December 15, 1883; also a strip of land twenty meters in width from high water mark along the entire coast of said island.

ART. IX. The payment for the lands sold to the Company on the terms referred to in Article VII, and in Cedros Island, shall be made in four yearly payments, the first being made at the time of the adjudication; holding, meanwhile, the said lands especially mortgaged for the payment. The payments shall be made at the Genera Treasury of the Federation.

ART. X. The Company is obliged to establish within the term of ten years from the date of receipt of the lands in Lower California, and in Cedros Island, respectively, the necessary families, at the rate of 4,942 acres per family, with the understanding that 30 per cent in Lower California shall be Mexicans.

Concerning Cedros Island, 55 per cent at least shall be Mexicans.

Art. XI. The Government reserves the right to send colonists to occupy the lands in Cedros Island that may be left vacant by the evacuation of the families who received them. That right shall be exercised after the ten years agreed upon in this contract for colonization, in order that in the mentioned island there shall always be at least 55 per cent Mexicans.

Art. XII. Within the two years from the receipt af the cleared or adjudicated lands by the Company, two colonies of at least fifty families each shall be established.

Art. XIII. The Company pledges itself to aid each family with at least thirty seven acres of land, and not more than 2,471 acres, according to the purpose for which the colonists may destine them ; also, delivering farming implements to the heads of families and providing work for at least one person of each family during six months of each year for the period of two years.

Art. XIV. The expenses for the transportation of families to the colony to be at the risk of the Company.

Art. XV. The Company and the colonists established at the responsibility of the same, shall each respectfully, enjoy during twenty years the franchise and exemption which the Articles VII and XXV of the law of December 15, 1883, stipulate.

Art. XVI. The Company shall give due notice to the Department of the Public Works, should it establish a new industry, in which case it shall enjoy for the term of fifteen years from date of the establishment of said industry, the exemptions which the referred colonization laws enforce. This right to be exercised by the Company only during the term of ten years, which is granted to it for colonization.

Art. XVII. The Department of "Hacienda" and of Public Works shall dictate the rules and regulations regarding the importation of articles destined for the colonists and for the Company.

Art. XVIII The Company shall, every six months, inform the Department of Public Works regarding the state of colonies ; the Government shall have the right to appoint inspectors whenever it shall deem necessary.

Art. XIX. The colonists are obliged to make good to the Company in ten annual payments according to the contracts they may enter into with it, the expenses that they may have incurred, with the most complete liberty on both sides, and in which the Government shall have no responsibility whatever.

Art. XX. The untilled lands which the Company may acquire according to the stipulations of this agreement, those that it may obtain from private individuals by sale, exchange or conveyance, cession or any other lawful title ; mines, coal and sulphur beds, sulphate of calcium, salt-pits and marble quarries that it may discover in the lands which belong to it according to this contract, belong in ownership to the Company, provided that the applications and the working of the mines are made in accordance to the ordinances and Mining Code in force.

Art. XXI. The Company shall appoint a representative in this capital sufficiently authorized, with whom the General Government may treat concerning al affairs relating to the obligations imposed upon it by this contract, and to what may thereafter be agreed or executed in relation to the subject.

Art. XXII. The Company as well as the colonists shall be considered as Mexican and shall be subject to the jurisdiction of the tribunals of the Republic. They cannot plead, concerning the titles and affairs relating to the Company, the right of being foreigners under any pretext whatsoever. They will only have the rights and means to make them valid which the laws of the Republic grant to Mexicans, and consequently foreign diplomatic agents cannot intefere with the affairs relating to the Company.

Art. XXIII. The families to which this contract refers, once established, the Company may freely dispose of the rest of the lands awarded to it.

Art. XXIV. Should the Company fail to carry into effect the colonization, as well as the clearance and the construction of the plans, the lands sold to it shall become Government property without making any restitution for that which it may have received for them. In case that it shall have colonized only a part of these lands, according to the clauses of this contract, the restitution shall be made only for the part of those lands which it may not have colonized; being unable to molest the established colonists or the Company for the part that may be colonized by them, a the rate of 4,942 acres for each family, including the land that it may have given to the colonists.

Art. XXV. To guarantee the fulfillment of this contract, the Company shall, within the term of three months from date of said contract, deposit $2,000 in the Mexican National Bank.

Art. XXVI. The Company cannot, in any case, or at any time, transfer, alienate or mortgage the concessions of this contract, nor admit into partnership any foreign Government or State. Any stipulation in a contrary sense will be null and void, the Company losing all rights to the lands, properties and works that it may have undertaken.

Nevertheless, the Company can, with the previous consent of the Government, alienate or transfer to private individuals or associations, the lands or other properties that it may acquire, and the concessions of this contract, likewise, it may freely omit of preference, common deeds, bonds and obligations.

Art. XXVII. The duration of this contract shall be ten years from the date of its signature.

Art. XXVIII. This contract will be void:

I. For not establishing the first two colonies in the term specified in Article XII.

II. For not commencing the survey and the clearance of Cedros Island within the term of three months, specified in Article II.

III. For not presenting to the Department of Public Works the respective plans in the term established by Article IV.

IV. For violating this agreement without the consent of the Executive of the Union.

V. For not making the deposit of which Article XXV speaks.

Art. XXIX. The nullity will be declared administratively by the Executive.

Art. XXX. The Company shall not be held liable to forfeiture of its grant or concession for unavoided causes duly recognized by the Department of Public Works.

CARLOS PACHECO,
LOUIS HULLER & CO.

Mexico, July 21, 1884.

INSTRUCTIONS TO THE INSPECTOR.

For the performance of the commission enjoined upon you to visit the Colonies which have been established by Messrs. Louis Huller & Co., Ensenada de Todos Santos, and that of Boleo, in Santa Agueda; Lower California, you will observe the following instructions:

I. You will make statement of the number of families established in each one of those colonies, stating the nationality, sex and age of the persons comprised in each family.

II. You will inquire which of those families have already erected their houses and which have theirs in process of erection, and which are still living in tents.

You will visit the lots that you may know their number and area, and to see if they are cultivated in whole or in part, what industries have been established, to what branches of agriculture they have applied themselves, and the present state of cultivation.

III. You will ascertain whether the colonists have the requisite agricultural impliments, animals and seeds that may be necessary for their labor.

IV. You will ascertain whether the colonies are established under the municipal regime as required by Art. X of the law of December 13, 1883, and which law is inclosed; and whether or not any misunderstandings exist between the colonists and the Company.

V. There is also enclosed a copy of the Foreign and Naturalization Law, that you may see whether the colonists have complied with that which Arts. XXVII and XXVIII of the same law require in the portions corresponding thereto.

VI. You will also collect information concerning the sales of lands that said Company may have made to private individuals or Companies, stating the prices for which the sales may have been made.

VII. Moreover, you wlll report what resources for subsistence each colony has, and what calculations may be made regarding the future.

VIII. What unity of spirit prevails in the colonies regarding Foreigners towards Mexicans, and whether the latter manifest sympathy towards their new countrymen.

IX. You will visit the hotels, industrial establishments, stores and work-shops that may exist in the Colony of Ensenada that you may become acquainted with the history of its foundation, commercial importance and the number of facilities of the founding colonists.

X. You will take notice concerning the present state of the scheme of the settlers and the Company, for establishing a stage and a telegraph line as well as the progress of the foundation of another colony in San Quintin, Lower California, and the future of both colonies.

XI. You will make a description of the lands in which the Colony of Santa Agueda and that of Ensenada are founded as well as that in which the Colony San Quintin is to be founded, to the end that this Department may have an exact idea of their qualities, climate and any additional circumstances that may aid in the development and progress of said colonies.

XII. You will inquire into everything that may be necessary for the information of this Department, concerning the fulfillment on the part of the Companies, of the stipulations which their respective contracts contain and which are enclosed ; and concerning that which has already been stated, you will forward to this Department a very minutely detailed report as soon as the tour of inspection is completed for the information of the President of the Republic.

(Signed) PACHECO.

To Mr. M. S. Facio, Present.

Mexico, Nov. 29, 1887.

15

CALIFORNIA IN 1837.

Diary of Col. Philip L. Edwards

CONTAINING

An Account of a Trip to the
Pacific Coast.

Published in "Themis" by Authority of the
Board of State Library Trustees of
the State of California.

SACRAMENTO:
A. J. Johnston & Co., Printers.
1890.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

CALIFORNIA IN 1837.

[REPRINTED FROM VOL. II THEMIS.]

Some years ago there was acquired by the State a manuscript diary of the late Col. P. L. Edwards, that contained a narration of the events that transpired on an overland trip he made to this coast in 1837. Judge John W. Armstrong, General Jo Hamilton and the late James C. Goods were instrumental in securing this valuable acquisition to the State Library. They were at that time members of the State Library Board. The manuscript, from time, has become faded and dim; that it will be preserved, by resolution of the Trustees of the State Library, it has been placed in our hands for publication.

Colonel Edwards was a prominent lawyer and a scholarly gentleman, and his observations of this then almost unknown country we esteem of incalculable value. After his return he published a pamphlet descriptive of California; it was prophetic of the future, we of to-day are witnesses of the realization of what he pictured.

Colonel Edwards was a native of Kentucky, born in 1812, and after his early visit to California returned to the East. He was then admitted to the bar, elected to the Missouri Legislature in 1843, chosen a delegate to the Whig National Convention in 1844, located in Sacramento in 1850, ran unsuccessfully upon the Whig ticket for Congress in 1852, and was a prominent candidate for United States Senator in 1855. He was a leading member of the bar of this city, and died here May 1, 1869.

We have known of the existence of this volume for several years, and present its contents through the courtesy of the Board of Library Trustees, which we deeply appreciate. The resolution of the Board is as follows:

> WHEREAS, The MSS. presented to this Library by P. L. Edwards, Esq., giving an account of an expedition in California in 1837, is a valuable acquisition to the State Library; and whereas, The attention of this Board has been directed to the fact that the ink is fast fading, destroying the usefulness and value of the work; therefore, be it
>
> *Resolved*, That Librarian Perkins be, and he is hereby authorized to negotiate with some newspaper publisher and have the same printed, and to have the files of said newspaper bound for this Library.

The diary of Colonel Edwards is as follows:

Friday, 14 January, 1837. At night the formation of the Wallamette Cattle Company was completed at campment Des Sable.

Monday, 17 Jan'y. Took leave of the Mission, and at 3 o'clock P. M. left campment Des Sable, in company with Messrs. Young, Hauveherst, Carmichael, Bailey, Esquette and Des Pan. Camped nearly opposite the mouth of Pudding river. Rained nearly all night, and having no tent slept uncomfortably.

Tuesday, 18 Jan'y. Set off at sunrise, and with much difficulty got our canoe past the Wallamette

Falls about 1 o'clock P. M. About 2 o'clock finished our breakfast, and renewed our journey. About sunset camped at an old house formerly occupied by Mr. Lucia. Nearly the whole day a cold rain was falling. My feet were all day in water, and having to work, I of course could not keep myself wrapped up. Even my shirt was drenched and I was so benumbed that it was with difficulty I could exert myself in getting the baggage ashore.

Wednesday, 19th. At sunset reached the brig *Loriot*, anchored about a mile and a half below Wappoto island. Camped on shore. After dark Mr. Slocum arrived from Fort Vancouver.

Thurs., 20th. Our party remained on shore. Capt. Bancroft and Mr. Lee arrived from Fort Vancouver, about 8 o'clock at night.

Friday, 21st. Put our outfit on board and all embarked.

Saturday, 22d. At 9 o'clock A. M. the party and crew being called to the quarter deck, Mr. Lee prayed for the Divine blessing to attend us all; after which the anchor was weighed and we began to drop down the Columbia. Anchored at night off Oak Point.

Sunday, 23. About 10 o'clock A. M. ran aground above Sand island. In about two hours, with the favor of the tide, again got under way. At night anchored in Gray's Bay, near Tongue Point.

Monday, 24. Fine breeze. Passed Fort George about 10 o'clock A. M. Hardly had I caught a distant and shadowy view of Neptune's restless domains, when the mischievous and frolicksome old monarch, began to exhibit his ruling passion by gently wresting from the poor, hapless land lubber's stomach its contents, and infusing his sickening influence through his whole system. And forsooth little is the sympathy which the sufferer excites. Twice I vomited and twice the risibles of those around were excited. Mr. Birnie, from Fort George, came off in a canoe and joined us. With a fine breeze swept down to Baker's bay, and anchored in the horse shoe near Cape Disappointment, at one o'clock P. M. Capts. Brotchie and McNeal had been here for near a month, the latter twenty-eight days. Went ashore with Capt. Brotchie and ascended the Cape. Those fervid emotions which I had anticipated would attend my first gaze over the vasty deep did not arise. Seasickness is an infallible remedy to poetic fancies. As I stood on the bold promontory and gazed over the mightiest ocean of earth; the broad and majestic river was behind me; on my right and left the frightful breakers, bursting and thundering. Had the vagaries of fancy, too sanguine expectations, divested the scene of interest, or did indisposition repress, in a good degree, pleasurable emotions?

Tuesday, 25. Went with Mr. Slocum to the Indian village at the mouth of Chinook river. Missing the proper channel we were in some danger in crossing the bar.

Friday, 28. At night the wind blew a storm which threatened our safety. With a second anchor we held our place.

Sat., 29, and Sun., 30. At sunrise the wind abated. At night it again blew a storm from the S. E. At 2 o'clock in the morning our cable parted. A second anchor was immediately thrown out. A signal gun was fired, but not heard on account of the roar of winds and seas. The flash of the powder, however, being seen by Capts. McNeal and Brotchie, they ventured off to us with much danger, but said they could render us no assistance. About sunrise our second and last cable parted. The kedge was immediately slipped, and we drove before the wind. It was thought we could not drive ashore anywhere besides in shoal water, and therefore had little prospect of continuing our voyage. Fortunately we gained a favorable spot. Two ropes were employed to keep the vessel from driving further aground—one to a stump in the water, and the other to a tree on shore. Here the vessel lay beating the sand until the recision of the tide, when she became quiet. We now observed that we had narrowly escaped striking upon snags and stumps of trees, which were covered by the water when the tide was up. Our party encamped on shore. An anchor and kedge were borrowed from the other vessels in the bay. About 3 o'clock, with the return of the tide and a heavy gale of wind, we worked out into the open bay. While the old brig was laboring and tugging, and as I fancied, seriously threatening to try it on her beam-ends, Capt. Brotchie's boat was swamped (himself and part of his crew were assisting us). She was, however, rescued before the tackle by which she was fastened to the ship broke. Meantime the plug in the *Loriot's* boat came out, and she was near filling. The wind not allowing us to get into a more secure place, we were forced to anchor as soon as we had gained five fathoms water. The tide falling, we again saw that we had narrowly missed stumps and snags; for they were scattered plentifully between us and shore. Our situation to-night is anything but enviable. If our cable fail again, with the wind from the same direction, we must certainly be driven aground far from shore, perhaps a half a mile or a mile, and heavy surf is breaking all along the beach.

Monday, 31. Capt. Bancroft set off for Vancouver to procure anchors. In the afternoon accompanied Mr. Slocum to Chinook village. The tide being low, we were forced to pull the boat with our hands about a hundred yards over the bar, where we had formerly been endangered by the breakers. In going out, however, we took the channel, and avoided wading and pulling.

Friday, 4 February. Beat down to the lower part of the bay, and anchored in a more secure place. Slept ashore.

Wednesday, 8. On account of our detention we were apprehensive that our stock of provisions would not be sufficient. The bateau in which Capt. Bancroft had arrived the day before returning to Fort George to procure one of the anchors she had left there, it was thought advisable that I should go in her. Supposing that their stock of rum was not adequate to their demand, one of the boatmen prudently exchanged his blanket with an Indian for a bottle full. This prudential bargain was, no doubt, made to secure the continuance of their happiness, for they were already as happy as ever drunkenness could well make them. Under this favorable omen we set out. As we passed one of the vessels (the *Nexcide*) the supercargo, not being advised of our supply, kindly treated our crew to a glass each. Before we had reached the swells off Chinook bar, the singing of the boatmen had ceased, and they began to exhibit their combative propensities by dropping their oars, pulling off their clothes, swearing most bravely, striking their clenched fists together, and occasionally falling backwards off their seats. While we were tossing on the swells, one more heroic than the rest, threw his oar overboard as preparatory to a pugilistic encounter. It was, however, recovered by the sternsman, who was less intoxicated than the rest. Fortunately, their spirits had a little evaporated before we reached Chinook Point. The passage here is between the spit outside and the breakers on the beach. In the passage itself there were heavy swells and occasional breakers. A little imprudence here might probably have saved me the trouble of writing my escape. The breakers several times broke over the bow, in which I was seated, but without any other injury than wetting my clothes. When we reached Chinook village the wind was deemed too high to venture across. The boat was, therefore, drawn up on the beach. I was invited by one of the principal men of the village to go into his house. He spread a neat mat for me to sit on, asked me if I was hungry, and beating up some dried sturgeon between two stones set it before me What means all this, thought I. I have not been accustomed to such hospitality from the Indian. Verily, mused I, this presents a redeeming feature in the Indian character! or, perchance, this household is more than mediocre, a rare instance of kindly sentiment amid a mercenary and sinister race. Here, a few shadowy dreams of the patriarchs intervened. Perhaps, I continued, these poor creatures are not really defective in—"Halo tum, shixt?" here interrupted my agreeable musing. (No rum, friend?) I replied, "none." They pointed to the boatmen who were drinking. I said they were not my people. But neither abuse of rum nor the declaration that I had none could give satisfaction. In about an hour and a half, the wind having partially abated, we prepared to cross the river. One old man who had been very officious in assisting to draw the boat upon the beach on our arrival, had sued to satiety for rum, and had fallen asleep from disappointment and vexation. Another angrily refused my hand at parting, saying I "was not good." The one who had invited me to the house continued friendly to the last. Perhaps it would do injustice to attribute all his kindness to motives as humble as those certainly were which influenced the kindness of the majority. Two of our boatmen were too much intoxicated to proceed in the boat, and were left lying senseless as brute could wish in the Indian house. There were now three men in the boat and myself. Proceeding a half mile from shore we raised a sail, and though there was considerable sea, reached the south of the river without much difficulty, just below Fort George Point. About sunset reached Fort George, thankful to have escaped the dangers with which I had been menaced.

Thusday, 9. Set out at half past 11 A. M., with Mr. Birnie in his canoe, and after a pleasant passage, reached the ship about 4 P. M. The bateau took in the men who had been left the day before.

Friday, 10. At sunrise Capts. McNeal and Brotchie having ascended the cape to ascertain the practicability of going out, pronounced the bar favorable. The three vessels immediately weighed anchor and sailed, the *Loriot* bringing up the rear. Wind and tide being favorable, we were soon floating on the blue, vasty deep, the bar being almost as smooth as the ocean outside which, indeed, was not the smoothest. Winds and seas increased, and consequently seasickness.

Saturday, 11. At 8 o'clock this morning the brig *Laura*, which left us yesterday, appeared in the dim distance and swept down upon us with that grandeur which I had imagined a fine vessel under full sail would show, but which I had never before witnessed. At 10 o'clock she came up with us, and after exchanging salutations bore on her magnificent flight, now sinking, and anon mounting the combing billows, until she seemed to mingle in the dim shadows of the horizon. And is there, thought I, no fairy land beyond? How much is there to palliate the enthusiasm of voyagers before geographical knowledge had attained its present extent! During the night the sea was boisterous, the pumps frequently in action, a sound to which my ears were very averse.

Sunday, 19. This morning were in sight of Fort Ross, the Russian establishment. At 8 o'clock fired a gun, which was answered by one from the fort. About 10 o'clock Mr. Slocum set off in the boat for the fort. About an hour after two men in a skin canoe came to us. One of them was our pilot. Two others which were coming off were turned back by Mr. Slocum. About sunset the wind, which had been calm during the day, began to blow a strong breeze from S. E , and continued until nearly day, when it shifted to N. W. How sick; how melancholy! Notwithstanding the rain I could stay no where but on deck, unless I was sleeping. The wind was too strong for us to lie to, consequently we were driven out to sea; when the wind veered to N. W. we were able, however, to change our course.

Monday, Feby. 20. A pleasant morning. Land in sight, though there was fog. With a favorable breeze entered Port Bodego at 9 o'clock. Once more I am on my own element. What a repulsive passage. Tempestuous and cold! sick and melancholy! Perhaps no period of my life has been less calculated to give happiness. But peace! God is merciful and I am safe! The climate here is delightful. The ground is green and the hills and mountains clad in verdure to their summits.

Tuesday, 21st. Mr. Slocum and Don Pedro, the commandante of the Russian establishment, came aboard.

Wednesday, 22. Our party and outfit disembarked.

27th. Most of our party and baggage went to Capt. Cooper's mill.

28th. Early this morning Mr. Young and myself embarked in the *Loriot* for Port San Francisco. The wind being low at night we were off Pointe De Reyes. At night the wind springing up and the captain being unacquainted with the coast, the vessel lay off and on during the night. The weather pleasant and myself not so sick as usual.

Tuesday, 29 Feb'y. This morning found ourselves drifting between the Farallone Islands and Sir Francis Drake's Bay, having made little advance during the night. During the day but little wind. At 4 P. M. it became so feeble that we found ourselves drifting with the tide towards shore in Drake's Bay. There was a short distance below us a reef of rocks which extended as far up as we were. An anchor was thrown out in 13 fathoms water and after letting out 80 fathoms of chain, our bow was in 9 and our stern in 7 fathoms water. In this unenviable situation night set in with a heavy wind from S. S. E. and rain. Tremendous seas were breaking over our bows, and it was pretty evident even to the inexperienced land lubber that we would not weather it until morning. The violent motions of the vessel had induced so violent a headache that I was fain to retreat from this scene of terror to the cabin. Spreading my pallet on the cabin floor, I fell in a slumber. At 9 o'clock I was aroused by a frightful crashing on deck, and the cry that the cable had parted. All were immediately on deck to assist in throwing out the second anchor, when, to our great satisfaction, we ascertained that only the windlass had capsized. The captain now calling his officers to the quarter deck declared the ship in danger. Should the larger cable fail, there was, he said, not hope that the smaller would hold. That therefore the only hope of saving the people was in running the vessel aground in a small bay to the northward, which might possibly be effected, if the reef to the N.W. which was discernable by the breakers on it did not prevent, and that we were now probably on the continuation of the reef. With the same wind there was, he said, no hope of retaining our hold, for the seas would continue to increase. Unless the wind shifted we must therefore be ready for the worst, and the harsh grating of the chain as a furious sea dashed over the ship's bow and washed her decks, as if frantic to impel us towards the frightful reef, augured his apprehensions too rational. But that kind Providence who had "clothed and fed us all our lives long" did not forsake us. Before 10 o'clock the wind had changed to the N.W., and at 10 we began to draw up our anchor, which, the windlass being useless, we were forced to do with tackles. It is peculiarly trying to labor unsuccessfully when life, perhaps, depends upon its issue. It was, however, our fate. The old tackles parted three or four times, and consequently we must lose chain before it could be arrested. In three hours, however, of tugging at the tackles, the anchor was got up and sails unfurled. It required the entire force on board, and my blistered hands could attest my own exertions. The decks were so slippery from the rain that they were necessarily sprinkled with sand, and even then many were our slips and a few falls. Hardly had we got under way, when the stupid Sandwich Islander at the helm, either through inattention or fright, brought the vessel about. She was, however, soon brought right again, and in a few minutes we were considered safe. The sternsman, who was so near putting us in new troubles, was punished on the spot. But the propriety of whipping a man under such circumstances I think more than questionable. First, let danger blow past and passion abate. A man smarting and indignant from castigation will be less disposed to do his duty as well as less collected. We now sailed on the east of the Farallone Islands. There are two of them, small and barren, with sunken rocks between.

Wednesday, 1 March. This morning were sailing with a fine wind in sight of the entrance of the Bay of San Francisco. Outside of the entrance there is considerable sea. There is here a bar, sometime a little troublesome. The entrance is about a half mile wide. The fort which once commanded the entrance is very eligible, but is now entirely neglected. Messrs. Slocum, Brotchie, Birnie, Lees, and Richardson, Captain of the port, were here waiting our arrival, and came off to us in a boat. At one o'clock P. M. anchored in Whaler's Harbor, on the north side of the bay.

Thursday, 2 March. After breakfast the *Loriot* sailed for Monterey; on board Messrs. Slocum, Birnie, Lees and Young. The latter goes to get an interview with Gen. Vallejo on the subject of driving out cattle. I came off with Capt. Brotchie and Richardson to the *Laura*.

9 March. Rode with —— Farwell to examine the Presidio and fort. These buildings were erected, I was told, about fifty-five years ago for the accommodation of the Spanish garrison. The Presidio is a building, the walls of adobes and the roofs of tiles, enclosing a square area, the sides of which are perhaps three hundred feet long. Since the expulsion of the Spaniards in the revolution, the place has been going to ruins. One entire side is fallen and parts of the others. All of the outer buildings, of which there were many, are now fallen except one. It is now inhabited by a half dozen families, too indolent to do anything to arrest the progress of decay. A sort of military burlesque is here still supported at times. I found the fort which once commanded the entrance of the bay in the same ruinous condition. Some of the cannon bore inscriptions dated A. D. 1648. Ruins,

however diminutive, are melancholy mementoes of human blindness and folly. These humble ruins, thought I, vie not with those more extensive and magnificent found in the old world, but are equally indicative of debased propensities. I am not gazing upon the ravages of war. These are simply the ravages of time—of a little time! A little circumspection and industry would have averted all. But so it is. One American colony, supposing itself aggrieved, has dissolved its connection with its transatlantic parent, and assumed a "separate and equal station" —has risen to grandeur and happiness; another, without the same causes of complaint, and without the essential qualifications in itself, ventures upon the same experiment, and sinks down into an anarchy more abhorrent than despotism. Spotted mares are generally broke in and much esteemed on the following account: All the horses of a band follow her, attracted by her peculiarity of color, and are not so likely to stray abroad. Horses are here made to work by a leather thong fastened to the draught and round the pommel of the saddle, so that all the draught is upon the girt. Thus tackled, the driver mounts his horse, not doubting but he takes the world in the easiest manner. Everything possible is here performed on horseback. If a man drive oxen he must ride.

Sat. 10. Mr. Young, Mr. Birnie and Mr. Lees returned from Monterey. Gen. Vallejo declines having anything to do in giving us permission to drive out cattle; says that it is the prerogative of the civil Governor. The latter is at Santa Barbara.

Monday, 12 March. Gen. Guadaloupe Vallejo came aboard the *Laura;* was saluted with five guns, and on taking leave, with a like number. Mr. Young sets out to-morrow or next day for Santa Barbara.

April 5th. Crossed the bay of San Francisco to Whaler's Harbor in the *Laura.* Here she anchored. Dr. Marsh, Padre Quihas, Mr. Birnie, myself and a drunken crew proceeded in a boat to Mr. Reed's farm. The tide being low, a part of us were forced to land and walk about 4 miles. Dr. M. alone remained in the boat with the crew. A drunken being, Long Jim, was unable to carry a bundle of goods, and was indebted to me for carrying a part, which by no means contributed to my comfort. About three-quarters of an hour after dark we reached the farm thoroughly fatigued. A substantial supper was set before us as soon as it could be prepared. Mr. Reed being absent, the Padre, of course, became first in authority. He freely circulated several bottles of wine which had been presented him at Yerba Buena, saying it was given him and he would distribute as freely. As I sat in a house of antique construction, looked upon the primitive manners of the Father, the unaffected hospitality of our hostess and the convivial hilarity of all, feudal recollections passed rapidly through my mind. I felt myself transported back to former centuries and mingling in the transactions of an age that is past. Truly, this people seemed to be, as Santa Anna said of them, "a century behind the rest of Christendom."

6 April. Padre Quihas having procured horses,

about 9 o'clock we set out for San Rapheal, and remained there that and the ensuing day, being treated with that free and cordial hospitality which we may well conceive to have prevailed a hundred years since in Europe. This mission is poor and decaying. The buildings, though spacious, are very rude and inconvenient. It was originally a rancho of the Mission of San Francisco. About forty years since it became a separate mission, under the superintendence of a very strict Padre. So punctilious was he of wasting anything that, I am told, he would not suffer the tools used in erecting the buildings to be ground. The mission, I believe, numbers about nine hundred Indians. The stock has been in a good measure divided among the Indians on their little farms. But they are so extravagant that it is thought they will soon have none unless taken from them, as has been done at other missions.

8 April. Dr. Marsh, James Black, and myself set out for Cooper's Mill, and camped between it and J. Martin's.

Sunday, 9. Reached the mill 11 o'clock.

Tuesday, 11. Returned with the two Indian boys and Gay and Bailey as far as Martin's farm.

Wednesday, 12. Reached San Raphael and remained the thirteenth.

Friday, 14. Crossed the Bay with Mr. Thompson.

Wednesday, 8 May. Took passage in the ship *Sarah and Caroline*, Capt. Steele, for Monterey, anchored in Whaler's harbor.

Thursday, 9. Worked out of the bay and at night lay off Santa Croix, which it was intended to enter but it was too late when we reached there. The barque *Kent* also lay near us.

Friday, 10. Reached Monterey about 11 o'cl.—was moderately seasick on the passage.

Sat., 11. Went ashore and took my lodging at the house of Mr. Spence, where I was treated with much politeness.

Sunday, 12. Mr. Young came into Monterey, having returned from Santa Croix on his way from the south to San Francisco. His horses were left at Santa Croix. He has, after much difficulty, got permission to drive out seven hundred cattle under the condition that we purchase them from the government—that is, cattle of the missions on which the authorities have unjustly seized. The Governor, not willing to assume the responsibility himself, laid the matter before the deputation then in session. The latter, after some debating, refused permission. On a second attempt, however, the motion carried. And all this *rumpus* on account of an old colonial law yet unrepealed, which forbids the exportation of male and female animals from the colonies. It is due to Gen. Vallejo and Gov. Alvarado to say that they exerted their influence in opposition to this narrow policy, as also did the Padre Presidente, not as one of the deputation but by his private influence with its members. Monterey is extremely irregularly laid out—if, indeed, it can be said to be laid out at all. The presidio here is going to ruins. Business is almost stopped. Everything bears the marks of confusion and anarchy.

Monday, 13. At 3 o'clock P. M. left Monterey with Mr. Young and Dye. Slept at the Salinas.

Tuesday, 14. Having no horse, bought one which was young and badly broken. Being unwell, I was thoroughly tired before reaching Dye's still-house, about five miles from Santa Croix. Passed in sight of this place, but not near enough to examine its buildings. At night had a high fever. Took a dose of salts. Never perhaps have I been so tired from a day's ride.

Wednesday, 15 May. Remained at Dye's, branding horses.

Thursday, 16. Traveled a very narrow and mountainous road. Drove our horses with difficulty. Camped about 8 miles from the Pueblo de Santa Clara, now sometimes called the Pueblo de Alvarado.

Friday, 17. Took breakfast at the Pueblo and proceeded as far as the Pulgas Rancho (Rancho de Pulgas) or rancho of flees.

Saturday, 18. Reached Herbo Bueno.

Thursday, 24. Mr. Young crossed the bay to see Gen. Vallejo, who was appointed agent of the government in selling us cattle.

Saturday, 26. Oneal, Turner, Despau and Erquette came across the bay.

29 May. Mr. Young returned from San Solano, having purchased seven hundred cattle at $3.00 per

head, to be received 200 at a Rancho of San Francisco and 500 at the Mission of San Jose.

1 June. Took leave of Herbo Bueno and camped ½ league beyond the Mission of San Francisco. Calling at the Mission to see the Administrador, he used every means to evade giving us 170 cows and 30 bulls, wishing to inverse the numbers, saying that his Mission was due that of San Solano that number of cows and bulls. Mr. Young returned to get the orders translated and proved it to be correctly written.

Friday, 2d. Mr. Young returned, the Administrador having consented to comply with the order. Passed a very difficult road to a rancho about 25 miles to the S.W. on the sea coast.

Sun., 4 June. Moved about a league to another corral.

Wednesday, 7. We have been detained here until this morning. The Administrador has been collecting cattle. Some have been confined in the corral since Monday morning without food or water. We however got off this morning by paying the Administrador 1 rifle $30.00 value, 6 shirts $2.50, and $20.00 cash, to be divided, as he alleged, among his Indians. The whole was, however, an exaction he had no right to make, it being the custom of the country for the vender of cattle to assist in driving them off the rancho. For the above consideration he insured our number as far as a rancho called St. Martin's, being a small peninsula on which the cattle were easily guarded, and as we afterwards learned a part of the Mission land. No fresh water under a half league—cold and windy—cattle suffering much from thirst, and drinking salt water.

Thursday, 8. Left early this morning—had difficulty in counting the cattle. Mr. Y. had a sharp altercation with the authorities. Retained but five men to assist us, whom we dismissed within nine miles of Santa Clara. The others had been dismissed at the Rancho of the Pulgas. One dollar to each of them we retained. Reached the Mission of Santa Clara at dark, with the loss of three cattle which had tired out, and with much difficulty got our cattle into the corral. Ate nothing all day. A couple of reals procured us a little brush by which we raised a little fire and broiled a little wretched, partly dried meat. Slept in the corral with our animals, a partition separating us and the horses from the cattle.

Friday, 9. Started before sunrise. Passed the Pueblo de Alvarado, and a half mile beyond allowed our animals about three hours to feed. Camped at the rancho of Don Higare, having with much difficulty got permission to put our cattle in the corral, his Donship being drunk. Just before sunset, as some of the men were driving the cattle towards the corral, they took fright, and were with much difficulty got back and driven into the corral. Three or four were probably lost. Ate nothing during this toilsome and perplexing day, except a few morsels of bread at the Pueblo.

Saturday, 10. Moved early, stopped for breakfast about a mile beyond the Mission of St. Joseph's, and reached the rancho of Robert Livermore, 16 miles distant.

Sunday, 11. Guarded the cattle. Mr. Young returned to the Pueblo.

Moved 16 miles to an old thrown-down corral—partly repaired it. Guarded the cattle at night.

Tuesday, 13. With an elk and bullock skin tied up the corral.

Sunday, 18. Went to a valley within a half mile of San Jose and encamped.

Tuesday, 22. This morning received the 500 cattle due from this Mission. It has been the desire of the Administrador to collect up all the wild cattle possible for us. While making his collections, those first put in the corral have been starving, some of them seven days without either food or water, except when guarded out a few minutes at a time. Some were so feeble from starvation and others so crippled from rough usage, that we left eleven unable to travel the first league. The Administrador agreed to supply these at the Mission sheep pasture; but when we reached there, he said the cattle had all gone off, and now we must either return to the Mission or take an order on some rancho on our way. We did the latter, as it was impossible for any of us to leave our band. About sunset reached a lake or bulrush pond, where we guarded the impatient cattle on horseback all night, half of us guarding while the others slept. Last night I rode to Livermore's, 16 miles, after sunset, and returned by sunrise this morning—was on horseback all day and half the night. One young cow being crippled, tired out, and being fat, was killed a league from camp, and partly eat for supper.

Friday, 23. Moved early—ate breakfast at Livermore's. At dark reached the corral where our other cattle were, and with much difficulty got them into the corral. Of the 200 cattle left here only about 118 remain. They broke out of the corral last night. To-night we were forced to use the utmost vigilance to prevent them from breaking out—did not lie down to sleep until a half hour before day, having been all the time walking about the corral.

Saturday, 24. In the afternoon moved about a mile to an open plain, where they can be guarded more securely.

Sunday, 25. Moved 16 miles and camped on a slough of the San Joaquin.

3 July. Started to the Pueblo; was there the 4th, fifth and sixth; returned to camp.

20 July. This afternoon finished swimming the cattle across the San Joaquin, at which we have been engaged since the 12th. A corral had previously been made on the bank to prevent the cattle from scattering abroad. On the 12th we drove them in, and immediately made an effort to drive the cattle across, but the water being deep at the going in, they took fright and refused to swim. We now caught a few calves, and, towing them across with skin lassos, succeeded in driving their mothers across also, a few heifers only following. On the 13 we made up our minds for a

desperate effort. In the morning, mustering all our force, we determined to make an energetic effort to do what all perhaps augured a hopeless experiment. With about seven hundred wild cattle in the corral, we got on our horses and began the attack. Being unsuccessful, we dismounted and tried on foot; still in vain. We now, with logs, brush, etc., made another fence, dividing the corral, and driving the cattle into smaller part again to get them into river, but they bore down our partition fence instead. Some got outside of the corral altogether, and it took much care to prevent them from bearing down the main corral. We removed our partition fence and strengthened the main corral, preparatory to another trial, and, crowding the cattle into it, called all hands to the charge. We this time succeeded in getting nearly all of them into the river. Some got half way across, but all returned to us except seven, which reached the other side, two being caught by the canoes, and seventeen which were drowned. In these sallies, when we huddled up the cattle on the bank and had formed a circle around them, then came the "tug of war." Jump as we would, strike as we would, bawl as we would, threaten as we would, our line was broken. A furious bull would anon rush by, horning and kicking. We were exposed to a broiling sun and enveloped in clouds of dust. The latter article was seized upon by the sweat and we soon presented faces hideous enough to appal either man or beast. Finally, we abandoned our object, stretched a rope across the river, and began to catch the cattle with the lasso, and tow them across the river by means of bulrush boats pulled by the rope stretched across. On the boats were seated two or three men, some to pull and some to hold the cattle. Two, three or four were taken at one time. Skin canoes were first tried, but did not answer so well. Most of this time I have been guarding the cattle on the north side. This business is extremely hard, the party being divided. On this side I have guarded generally half the night and sometimes nearly all, on horseback, after toiling in sweat, water and great danger through the day. Meantime, the mosquitoes are so abundant, except in the heat of the day and the coldest part of the night, that it was difficult to breathe, and the animals were, of course, very impatient and hard to keep. This afternoon Mr. Young and the main part of our camp came across, and here a new misfortune crowned all others. Mr. Young was driving the cattle with a few men to a new camp. I singled out the pack animal that usually carried our powder from the rest of the horses, to follow the cattle, thinking to secure the ammunition. Driving her along the margin of a bulrush or tule pond she turned about, and, in chasing her, Benj. W. run close upon her outside, and she rushed into the pond and threw off her load, and everything was completely wet, powder entirely lost. Horrors! Now we chased the cattle until after the moon rose, to get them across a little water not more than knee deep. And then the state of camp! Shut the book! The last month, what has it been? Little sleep, much fatigue! Hardly time to eat, many times! Cattle breaking like so many evil spirits and scattering to the four winds! Men, ill-natured and quarreling, growling and cursing! Have, however, recovered the greater part of the lost cattle and purchased others. Another month like the last, God avert! Who can describe it?

21 July. Sun about two hours high in the afternoon, set out for Herbo Bueno to procure a supply of powder. Slept at R. Livermore's, about 20 miles from camp. 22d. Reached the Pueblo de Santa Clara. Was kindly entertained by William Gulnack. 22. Reached Herbo Bueno, a distance of near 60 miles. 23. Set off between 10 and 11 A. M. and reached the Pueblo late at night. 24. Passing the Mission of St. Joseph's, contracted with Mr. Forbes—two horses, one of which I was riding and the other left at Livermore's. The sale for cattle on good terms. Reached Livermore's with Mr. F. and learned that the horse left there was stolen. 25. Two Spaniards, who had engaged to be here by this time, to assist in driving out cattle, did not comply with their engagement. In the afternoon sent Gay to camp to procure help. 26. Received near 20 head of cattle, and with the assistance received from camp and the two Spaniards, who had now appeared, reached the corral on the bank of the river about sunset. 27. Early in the morning crossed the cattle with some difficulty, and about 12 o'clock took leave of the river San Joachin with the hearty delight of those who are exchanging localities

without dreaming the possibility of suffering by the exchange. (Adios, San Joachin!)

14 August. Reached the Jesus Maria (Bonaventura) with 729 cattle, having lost 15—five drowned and ten tired out—and killed two for beef, making us less 17 since leaving the San Joachin.

Wed. 16 and Thurs. 17. Lay encamped; part of the men hunting elk for provisions. Succeeded in killing some. Dried the meat.

Friday 18. Moved one-half mile to the Bonaventura and encamped. Dressed the feet of the lame cattle, perhaps doing the cattle, upon the whole, more injury than good, besides tiring the horses in chasing them with the lasso. About ten or twelve Indians approached within about three hundred yards of camp. They were shy and four only ventured into camp. We understood them to say that they had once had some difficulty with Mr. La Frombois and that he had killed some of their people. They soon left us. Were unarmed except with bows and arrows. One having his bow strung was made to unstring it.

30 August. This morning, the cattle and horses being recruited by rest and good pasturage, we resolved to try the long dreaded passage across the largest river on our route. Our past difficulties at smaller rivers could not augur well of this. We, however, succeeded without difficulty or loss at a ford discovered the day before. Admirable! every lip said, and every heart responded! In about two hours came upon the trail of Mr. La Frombois, which we intend following.

This morning began traveling among the mountains which separate the valley of the Tulares from that of the Chastas—had some difficulty in following the trail. We have now taken leave of the valley of Tule or Bulrush. Its length is said to be about 500 miles and its breadth upon an average about 60. The soil, so far as my observation extends, is of an excellent quality and immediately on the banks of its rivers superior to any I have seen on the Pacific coast. At this season it presents a parched and uninviting appearance. Large tracts are covered with pebbles, and a great portion of the valley is subject to annual inundations, of which fragments of pine wood and bark where pine trees do not grow is sufficient evidence. The climate, though sometimes very warm, is upon the whole fine, particularly the sea breezes which fan up the evening. Its commercial facilities are admirable. The greatest defect is want of timber, there being scarcely any except dwarfish oaks along the margin of the streams. The intermittent fever sometimes fearfully prevails. Mr. Young informs me that with a trapping party he passed one summer here without having one man sick, but that on his trip to the Columbia 3 years ago with Mr. K—— every one of the company, himself excepted, had this fever. We have in our party had two or three cases. On every hand we see revolting signs of its fearful ravages. About 4 years it prevailed with such mortality that the few survivors of a village sometimes fled from their homes, leaving the village literally strewed with the dead and dying. Mr. Y. says he saw hundreds lying dead in one village, forsaken by the few survivors, and birds preying upon the uncovered carcasses. This disease seems to have prevailed with like fatality from the Bay of San Francisco to the Columbia river in these fatal times. Previous to 1829 it was unknown in the Columbia. Its greatest mortality seems to have been from about 50 to 100 miles interior. Still the Indians in this valley are numerous. They do not bury their dead, but carry them a few hundred yards from their houses and leave them exposed. Skulls and bones are scattered all around their villages. They live principally upon roots and grass plants. Their abundant use of the latter have led the Californians to say that they live on grass. They appear to be peaceable, and though shy of us have offered us no injury except in two very doubtful cases. The horse guard one night fired on what he took to be an Indian stealing a horse. On another night one of the men said that an Indian crept into camp and stole his gun, but he pursued him and recovered it. Of neither instance have we proof. Their mildness is as much, perhaps, the consequence of want of energy as of any more worthy cause. The men cut off their hair, and live mostly perfectly naked.

26 August. Since last date traveling in the mountains. They appear every day to grow more difficult. "Hills peep over hills and alps on alps." The grass is so generally burned that our animals have become feeble. Our cattle have learned their mastery in the brushy and mountainous road. Our horses are so ex-

hausted from the same causes that they are of more trouble than service. Yesterday as the forward cattle were drove down to the river to drink, being much heated and the bank steep, they got into swimming water and crossed. Nor were they stopped until about a hundred of the best cattle in the band were across. The water being very rapid, it was difficult to get men and horses over. Before we had succeeded, the cattle, weary as they were, had gained the summit of a mountain several thousand feet high. With much difficulty they were recovered. Several of us started in advance to hunt a camp. Myself up the bank, etc.; until I rose the mountain, made for the road. Turner and Tibbets found one, though not good, which we reached after sunset. To-day the mountains grow more brushy, steep and rocky. To-day we have reached a place where there is water, but no grass. Unless grass is found to-morrow, we have every prospect of starvation to our animals. A tremendous mountain rises before us which we fain would have attempted, but Mr. Young, having rode up it for some distance, returned in half an hour swearing that "a still higher mountain was on the top of this." "Now," said he, "if you are a philosopher, show yourself." Animals were of course hard to guard where there was nothing to eat. Some of the men being tired of eating dried meat insisted on killing a beef. Mr. Young did not consent, as he very reasonably did not wish to carry the meat over the high mountains ahead. A very rough and disagreeable quarrel ensued. Some had sworn they would kill one at all events. Mr. Y. defied them, and told them to "kill one at their peril."

27 August. At daylight this morning we commenced moving camp, and ascended the dreaded mountain, and found another on it after pursuing a ridge about a mile. After ascending this one we had fondly dreamed we would descend into some friendly valley, but when we had gained the summit of this, behold another, and our hearts sickened as we foreboded another still. Our horses were so weak from fatigue and hunger that they were of little use—nay, of more trouble than service. The cattle, too, were laboring under the same disadvantages, and besides were so obstinately lazy that every inch of ground we gained was contested. Hallooing, bawling, stones, clubs, and everything on which we could lay our hands, achieved every inch of our progress. They would turn off from the road, wander down the sides of the mountain, take refuge in the dense brush, stop to fight each other, and in short appeared willing to do anything but go quietly along the trail. Three horses and some of our best cattle tired down on the road. The day was excessively warm, our faces covered and our throats and noses filled with dust. Great thirst was the necessary consequence of intense labor under such circumstances, but it was impossible to get water. Under these circumstances I reached the point of the mountain where the roads turned down to the river. Here were lying some of the men who had driven the first band of cattle. Some of them had gone down the mountain for water. I

myself, supposing there was a spring somewhere on the side of the mountain, started in the pursuit; but after going about two hundred yards, and seeing no indications of water nearer than the river, about a mile distant, three-fourths of which was down the side of a steep mountain, I returned and persuaded the gentry lying in the shade to return with me to assist in driving up the rear cattle. At last the whole party were rendezvoused at this point and we began to descend. and in about 30 or 40 minutes gained the valley. Traveling about two hundred paces we came to a cool and delightful rivulet. Never had I so suffered from thirst as this day, and now I plunged into it with an avidity which frightened myself. At the first hearty draught it did not have the usual taste in my slimy mouth. I perhaps drank three quarts in fifteen minminutes. Short sighted man! Happy that his knowledge is not prospective! Else he would not venture upon some of his most ennobling enterprises. Few of our party, perhaps none, would have ventured upon this enterprise could they have foreseen all its difficulties. It boots little to reflect that the future gains will amply compensate for present suffering. Most of the party cursed the day on which they engaged, and would hardly have exchanged a draught of cool water for their expected share of the profits. We encamped 4 or 5 hundred yards from where we had descended into the river valley, at about 4 P. M. Plenty of wood and water, and some grass. A good beef was killed, a part soon cooked and almost as soon consumed, we having eaten nothing all day. Thrice happy evening, unknown to those who have not known the contrast of the morning! And were it not for that fearful mountain before us we should forget all our toils in our present happy condition; or, if remembered, only remembered to endear our present enjoyments. But meantime another quarrel with Wood and Mr. Y. about the beef. Our horses were so exhausted, for the first time on our trip we guarded them and the cattle on foot.

28 August. Remained encamped during the day to recruit our animals, though there was but little grass. Some of the men returned and recovered two horses that were left by the way yesterday.

29 August. At daylight this morning began our march, and ascended a mountain as high as any we had yet encountered. The road as difficult and the the cattle as weak and stubborn as on the last day's march. The horses so weak that nearly all the driving was done on foot. Nearly every inch of progress has been gained by the use of clubs, sticks, stones, and bawling. When we had gained the summit of the mountain we stopped about an hour for the cattle to eat grass and rest. The descent was about a mile and a half or two miles, and sometimes very abrupt. When we had proceeded about half way down three Indians came to us, and to encourage us said, "Go on, there are no more mountains ahead." Though not much accustomed to believe in Indian veracity, this assertion produced a shout among us. And "Thank the

Lord,'' came from lips not much accustomed to devotion. The first impulse of my own heart was to halloo aloud and echo the news, the second to exhibit my unusual gratitude to the naked savage who brought us the welcome tale. The happy tidings soon spread along our line and gave us all new life. Even our cattle seemed to catch the prevailing passion, and we were all huddled in a trice to the mountain's base. Our animals and ourselves here drank freely of a beautiful stream. Three cows were here left; we suppose they were poisoned on the mountain. We now had about two miles to go around and over the point of a mountain before reaching camp. The brush was very dense and there were several difficult ravines. Every inch was contested and achieved only by the exertion of all our strength. We at length found grass and water, and upon the whole the most pleasant encampment since we entered the mountains. Our labor to-day was only surpassed by that of the former. We did not suffer for water, otherwise it equals any other.

30 August. Lay encamped all day.

31 August. Moved camp, and counting cattle ascertained that we have lost 49 since leaving the Jesus Maria (Bonaventura.)

3 September. Since the last date we have been making short marches, and camping wherever we could find small parcels of grass. Our fond expectation of getting out of these mountains each successive day has been delusive. Lofty mountains have been exchanged for deep and difficult ravines, and our

labor little diminishes. I reckon yesterday the most laborious day to myself since beginning the trip, my bones aching from exertion and my lungs painful from hallooing. Since last date have lost seven cattle and two horses. The horses for the first time were suffered to go unguarded last night. This morning found that two horses were missing—one, Mr. Y.'s favorite saddle horse, and one of B. Williams'. The horses were found near the top of a high mountain on our left, whither they had gone in quest of grass. Mr. Y. had much difficulty in driving them down to camp. It was thought possible that the two lost horses had been stolen, but more probable that they had been left by the way in the brush yesterday. The cattle were very impatient, having scarcely anything to eat, so that I was kept running all the morning till about ½ past 7 to prevent them from wandering, though not my guard. Moved about three miles, and, finding grass, encamped. Mr. Young, B. Williams and Tibbets returned in quest of the lost horses, and return, sun 1½ hours high, after a hard day's walk, having found the two horses. They had been unmolested by the Indians, as well as two bulls tired down by the way, one of which they also brought on. To-day, Turner and Gay went in advance about six miles to examine the road, and reported favorably, having found several parcels of grass at which we can recruit our animals. They also opportunely found 130 Indian trade balls—will probably be needed. A repulsive mountain still lies before us. The report, however, is favorable; we may not cross it.

4 September. Moved ½ mile to fresh grass. Camped. Some of the wretched cattle wandered to the very summit of a high mountain on our right, and were got down with much difficulty.

6 September. Remained encamped all day. With the hope of finding mountain sheep and gratifying my curiosity, about 8 o'clock I set off with Henry Wood to climb a towering stony peak on a high mountain about ½ mile before us. Depo had gone before, and the frequent report of his gun induced us to hurry off, thinking he was in the midst of game. We were upwards of an hour toiling up the mountain, when we gained the summit of ridge which led to the stony peak at which we were aiming. Here we were so thoroughly fatigued that we were glad to shelter ourselves from the wind under the side of the ridge to rest, and both in a short time fell asleep. After an hour's rest we renewed our progress, and began to ascend the elevation on which stood the stony peak. With much difficulty we clambered up the rocks within 50 feet of the summit. But what appeared one peak from the valley, now proved to be four or five. The ascent of the highest was impracticable, but we gained the summit of the second in hight, and were even now sufficiently elevated to gaze with caution upon the fearful depth below. We are now near the summit of a peak which we had supposed, when in the valley, would command a view of the surrounding

scenery, but from this abrupt elevation we now saw ourselves encompassed by awful mountain barriers. On every hand "Alps on Alps arise" and mingle with the clouds. There appears but one way of exit, along which it appears we must travel. After rolling off stones awhile to see them tumble and smash below, and being very cold, we began to descend. The peak is massive granite. Reach camp in about an hour and a half, tired enough to wish the romantic granite peak at "Nova Zembla," having seen no game at all. *Chagrin pour la terre!*

6 September. Moved about 8 miles—road very brushy and difficult. Camped at a spring apparently impregnated with ferruginous matter. Traveling along a bank which sloped abruptly towards the river, a loose mare slipped and stopped not till she reached the bottom. On hearing of this, I returned to see if she could be got out, but could find nothing of her. She had probably struggled into the current and been carried away. Poor horses! They have become too weak, and their feet are so sore that they dread to move, and passing along the side of the river to-day some crossed to evade their drivers, and they frequently tried to conceal themselves in the brush. This is the first encampment, since entering the mountains, known to any of our party. It is said we shall reach Chasta Valley in three or four days. Grass not very plenty. The mineral spring above named possesses purgative properties; animals very fond of it. About 12, Ind. house vacant.

7 September. Moved about a mile, and found a

better encampment for our animals than any we have found since leaving the San Joaquin.

8 & 9 September. Lay encamped. Our animals rapidly recruiting. For the last five or six days we have seen no Indians. The country is perhaps the line between the Indians of the valley and those of the mountains, though sometimes occupied by one or the other, or perhaps held in common. The Indians of the mountains do not appear to be numerous, having never seen more than 15 at one time. They are unoffending and friendly. I was particularly pleased with their language. The enunciation is peculiarly clear and distinct, and entirely free from the harsh gutturals to which I have been accustomed in Indian languages. Like all American savages before they have had much intercourse with white men, they exhibit a great propensity for long and high toned harangues. That we did not understand them was no consideration. One old man, after seating himself in silence and smoking his pipe with much formality, raised his voice to its highest key and began as follows: "In yonder mountains I was born. There I sucked my mother's breast. There he had grown up," and, doubtless, many other items of equal importance, could we have understood him. I never failed in getting a grave harangue when I addressed one of these mountain orators. We have been frequently scattered along the road for a mile or two, where there was dense brush on all sides, and, of course, much exposed. Indeed, we have been much at their mercy, but they have

offered no injury either to ourselves or property. On counting our cattle correctly, ascertained that our present number was six hundred and eighty, making our previous loss less than we had supposed.

10 September. Moved about five miles, and finding excellent grass encamped, and remained the 11th.

12 September. Made a long and difficult march, and gained the long wished for Chasta Valley; began to leave in the rear our old acquaintance, the snowy peak, with feelings of anything but regret. Lost two horses, one of which was a pack animal with the pack on; was found back at camp. After traveling about 3 miles in the valley, we began to feel some solicitude about Wood and Jim, who had returned in pursuit of the horses, and halted for them. In about 15 minutes they appeared, and we pursued our way. Long march to-day.

13 September. Made an early move and halted on a stream—tributary to Rogue's river. We here eat breakfast, gave our animals a few hours to eat, and moved until after sunset, and reached a good encampment—distance, 20 miles. Mr. Young had supposed, on leaving the place at which we halted for breakfast, that the distance to this place was not more than 3 or 4 miles, but it proved to be 8 or 10. Once started, we were obliged to go through.

14 September. Moved camp about 10 o'clock, and after traveling 5 miles crossed Chasta river. About 5 miles further, encamped; but little grass and water for our animals. About two miles before reaching

camp, five or six Indians came to us in a friendly manner, and one, accompanied by a boy about 10 years old, followed us to camp. There had been frequent threats on the way that Indians would be killed as soon as we had crossed Chasta river, and I had heard threats of killing this one while he was following us. It had generally passed as idle braggadocio, and I was hoping that present threats were of the same sort. I, nevertheless, intended telling Mr. Young. In the hurry, however, of unpacking I could not do it unobserved. We had just let loose our horses and sat, when a gun was fired just behind me. Gay and the Indian were sitting within ten feet of each other, when the former shot. The Indian sprang up to run when Bailey also shot at him. The Indian ran about 20 paces and fell dead, down the hill. Some of the scoundrels now hallooed, "Shoot the boy! Shoot the boy!" The little fellow, however, turned a point of rocks, plunged in the brush, and, as he was not pursued, he escaped. They afterwards alleged it was only to prevent his spreading the news. At the sound of the gun, Mr. Young asked vehemently, "What's that?" and began censuring the act. I sprang up, calling it a mean, base, dastardly act, and that such men were not to be depended upon in danger! Bailey retorted, "Are you to be depended upon in danger?" I replied, "Yes." "We'll see," said he. I said, "Yes." Carmichael was one of the first to censure the murder, but he now joined others against me. "We are not missionaries," said he, "we will avenge the death of

Americans." Mr. Young and myself soon saw that it was of no use to wrangle. Some of the party were silent —most were in favor of the act. Only one that I recollect spoke against it. Turner, Gay and Bailey were three of four survivors of a party of eight men who had been defeated at the next river, and several of the survivors were much mangled. Turner's wife had also escaped. This they allege as their justification. But the murder was committed four days before reaching the place of their defeat, and the Indians may have been of another tribe. Nor could any consideration of private revenge, allowing its legality in itself, authorize endangering the property of others. We must now prepare ourselves for fighting our way through the hostile Indians. This fool act, as Mr. Young said, "cost us half our animals." One act of barbarity is not to be omitted. Camp and Pat stripped the Indian of his skin clothing, and left him lying naked. The Indian had a bow and about 10 or 15 arrows. Only two arrows in the pouch had stone points.

15 September. Moved before sunrise—road brushy and difficult. Had much difficulty in ascending the brushy hill. The cattle were to-day driven in three bands. The first ascended with little trouble—the second, which I was assisting to drive, with more. Some of the third band were unable to get up and were shot by the drivers. The two first bands of cattle had halted until the arrival of the third. After allowing a half hour for rest, Mr. Young gave orders to march. Some

of the drivers, however, had become displeased because he had not stopped in the valley below, and now did not pay any attention to his orders. Here a most horrid quarrel ensued. Curses, guns and knives were bandied for 15 minutes. Turner, Gay, Carmichael and Bailey were the principal speakers against Mr. Young. Myself and Depo tried to quash the business; others were silent and apparently indifferent. Here we were, in a most difficult pass, where a dozen Indians might have killed the half of us and numbers of our animals before we could gain a good road, and no doubt we would here have been attacked if the Indians had had time to collect. Property of a very exposed nature was to be protected, and besides we were in equal danger from each other. We now had much difficulty in driving through the dense wood down the brushy hill for about a mile. We then gained a prairie, and as there was a gentle declivity, nearly all the afternoon we traveled without much further difficulty, until two hours before sunset, when we encamped; little grass. At night strengthened the guards, putting five men on each instead of four. My station was beyond the brook on which we were camped, to prevent the Indians from firing into camp or among the horses from the brush in that quarter. About an hour after I had taken my place, the moon having just risen, I observed about five Indians stealing along the wood around a small hill to the east, seemingly with the intention of getting into the brush near camp. Having a double-barreled fowling-piece, I fired one barrel, which brought them to a halt. The discharge of the second was a signal for their retreat the way they came. I now hastened to reload my gun, but could get no powder out of my horn. Supposing it was empty I hastened to camp to refill it, but could get none in. And now I found that a rag which I had wrapped around the stopple had slipped off and stopped up the horn. The guards were again strengthened by addition of another man to each, which took all the party for the guards of one night except two, which two had no guns. No further molestation during the night. About 2 o'clock P. M., as we were passing a difficult place between the mountains on our left covered with dense brush, and a thick wood on our right, the horses and cattle being scattered along for a mile, hollooing and a shot in the rear announced an attack. I was at this time carrying a young calf before me on the horse, with the forward band of cattle, because its mother would not remain behind. At the above signal I hastened forward to place the calf with its mother, and to acquaint Mr. Young, and then returned to the assistance of the rear. The horses being foremost were not molested, as well as the forward band of cattle. The attack was made from each side of the road. Five or six head of cattle were wounded, but only one killed. This one was able to travel out into the open plain, where she was butchered, and as we needed a beef it happened just at the right time. In this attack the enemy were so well concealed that not one was seen until we had gained the open plain, when a few showed themselves on the hill, but beyond the reach of gunshot. Camped on a small brook, in the edge of the brush—had the same guards as the last night.

September 17. Moved after breakfast. A few arrows were shot at us from a thick wood on our right. Nothing was injured, however, but the riding horse of B. Williams, into the right hip of which an arrow was shot, but without much injury. Camped in an open plain, where there was no water for our animals; but a small spring about four hundred yards distant su plied our wants.

September 18. Moved about sunrise. Indians were observed running along the mountains to our right. There could be no doubt that they were intending to attack us at some difficult pass. Our braves occasionally fired on them when there was a mere possibility of doing any execution. About 12 o'clock, as we were in a strong and brushy pass between the river on the right and a mountain covered with wood on the left, firing and yelling in front announced an attack. Mr. Young, apprehensive of an attack at this pass, had gone in advance to examine the brush and ravine, and returned without seeing Indians. On making further search he found them posted on each side of the road. After the firing of four guns, the forward cattle having halted and myself, having arrived with the rear, I started forward, but orders met me in front that no others should leave the cattle, Mr. Young, feeling himself able, with two or three men already with him, to rout the Indians. In the struggle Gay was wounded in the back by an arrow. Two arrows were shot into the riding horse of Mr. Young while he was snapping his gun at an Indian not more than ten yards off. To save his horse he had dismounted and struck him on the head, but he refused to go off, and received two arrows probably shot at his master. Having another brushy place to pass, about four or five of us went in advance, but were not molested. Camped on the spot where Turner and party were defeated two years ago. Soon after, the men on day guard said they had seen three Indians in a small grove about three hundred yards from camp. About half of the party went, surrounded the grove, some of them fired into it, and others passed through it, but could find no Indians. At night all the horses nearly famished as they were tied up. Night set in dark, cloudy and threatening rain, so that the guards could hardly have seen an Indian ten paces off, until the moon arose about ten o'clock. I was on watch the first half of the night.

16

Published by authority of the California State Board of Trade, 575 Market Street, San Francisco
Information about California supplied on application.

REPORT OF THE

IMMIGRATION COMMITTEE

— OF THE —

CALIFORNIA STATE BOARD OF TRADE

IMPORTANT LETTER

— FROM —

A. N. TOWNE TO GOVERNOR BUDD

(AND SUPPLEMENT THERETO)

SHOWING CALIFORNIA'S PROGRESS IN MATERIAL DEVELOPMENT AND EDUCATIONAL ADVANCEMENT.

DIAGRAM OF COMPARATIVE RESOURCES

The Hicks-Judd Co., Printers, Bookbinders, and Publishers, 23 First Street, San Francisco, Cal.

CALIFORNIA STATE LIBRARY
CALIFORNIA SECTION

REPORT OF THE

IMMIGRATION COMMITTEE

OF THE

CALIFORNIA STATE BOARD OF TRADE.

To the President and Members
of the California State Board of Trade:

To the Committee on Immigration was referred the motion to ascertain in what portion of the State there has been an increase of population. We assume that the main purpose of the inquiry is to ascertain the movement of population since the census year of 1890.

It was suggested by the mover of the inquiry, General N. P. Chipman, that the school census might be a guide, but we are persuaded that the school census, being taken in each county with the view of presenting the largest number of children in order to obtain an increased amount of the State's appropriation for school purposes, is utterly untrustworthy. If we can find a constant, or approximately constant, relation between the number of voters and the number of inhabitants, we have the best guide to estimate the trend of population.

The United States census shows that in 1870 there was 560,247 inhabitants; in 1880, 864,694; an increase of 304,407; in 1890, 1,208,130 inhabitants, an increase over 1880 of 343,436. Assuming that the growth was regular for a few years, the increase would be annually, 30,440 for the first decade, and 34,343 for the second decade.

In 1871 there was a gubernatorial election, which, as the issues were warmly contested, brought out an average vote which was 120,101. Add to the population of 1870 the assumed regular increase of 30,440 and we find the population to have been 590,691, and the ratio is 4.9174 persons to each voter. The Presidential contest of 1872 did not bring out the full vote of the State, it being only 95,806, the ratio, 6.48. In 1875 the ratio was 5.8121; in 1879, 5.2063. In 1880 the vote was 164,321, which shows a ratio of 5.2622. As the increase from 1880 to 1890 was 343,436, we have added one-tenth of that amount to each year following. The population accordingly of 1882 is estimated to have been 933,381 and as the vote was 164,679, the ratio would be 5.6677. In 1884 the estimated population was 1,002,068 and the vote 196,956, the ratio being 5.0876. In 1890 the census reports show 1,208,130 inhabitants, and the vote being 252,457, the ratio was 4.7855.

RECAPITULATION OF RATIOS.

PERSONS TO EACH VOTE.	PERSONS TO EACH VOTE.
1871, ratio 4.9174	1872, ratio 6.48
1875, ratio 5.8121	1879, ratio 5.2063
1880, ratio 5.2622	1882, ratio 5.6677
1884, ratio 5.0876	1890, ratio 4.7855

We think the average ratio is five inhabitants to each voter.

The following table shows the increase of population from 1880 to 1890 and the counties which received the impulse.

	Population. 1880.	Population. 1890.	Increase.	Decrease.
Alameda	62,976	93,864	30,888	......
Alpine	539	667	128	......
Amador	11,384	10,320	....	1,064
Butte	18,721	17,939	....	782
Calaveras	9,094	8,882	....	212
Colusa	13,118	14,640	1,522	......
Contra Costa	12,525	13,515	990	......
Del Norte	2,584	2,592	8	.....
El Dorado	10,683	9,232	....	1,451
Fresno	9,478	32,026	22,548	......
Humboldt	15.512	23,469	7 957	......
Inyo	2,928	3,544	616	......
Kern	5.601	9,808	4,207	......
Lake	6,596	7,101	505	......
Lassen	3,340	4,239	899	.....
Los Angeles	33,381	101,454	68,073	......
Marin	11,324	13,072	1,748	......
Mariposa	4,339	3,787	....	552
Mendocino	12,800	17.612	4,812	......
Merced	5,656	8,085	2,429	......
Modoc	4,399	4 986	587	......
Mono	7,499	2,002	....	5,497
Monterey	11,302	18,637	7,335	......
Napa	13,235	16,411	3,176	.. .
Nevada	20,823	17 369	......	3,454
Orange	....	13,589	13,589	......
Placer	14.232	15,101	869	....
Plumas	6.180	4,933	....	1,247
Sacramento	34,390	40,339	5,949	......
Carried For'd	364,639	529,215	178,835	14,259

	Population. 1880.	Population. 1890.	Increase.	Decrease.
Brought For'd	364,639	529,215	178,835	14,259
San Benito	5,584	6,412	828	......
San Ber'dino	7,786	25,497	17 711	......
San Diego	8,618	34,987	26,369	......
San Francisco	233,959	298,997	65,038	.....
San Joaquin	24,349	28,629	4,280	......
S. L. Obispo	9,142	16,072	6,930	.....
San Mateo	8,669	10,087	1,418	......
Santa Barbara	9,513	15,754	6,241	......
Santa Clara	35.039	48,005	12,966	......
Santa Cruz	12,802	19,270	6,468	......
Shasta	9,492	12,133	2,641	......
Sierra	6,623	5,051	....	1 572
Siskiyou	8,610	12.163	3.553	......
Solano	18,475	20,946	2 471	......
Sonoma	25,926	32,721	6,795	......
Stanislaus	8,751	10,040	1,289	......
Sutter	5,159	5,469	310	......
Tehama	9,301	9,916	615	.....
Trinity	4.999	3,719	....	1,280
Tulare	11,281	24,574	13,293	......
Tuolumne	7,848	6,082	....	1,766
Ventura	5 073	10,071	4 998	......
Yolo	11,772	12,684	912	......
Yuba	11,284	9,636	....	1,648
Total	864,694	1,208,130	363.961	20.525
	....	....	20,525	......
Total increase	....	....	343,436	.....

The decrease it is perceived is confined to the mining counties due, except in Mono, to the cessation of hydraulic mining. The decrease due to the litigation respecting hydraulic mining does not appear in Placer and El Dorado because much of the loss is made up by the accession of horticultural population.

The increase in the six Southern California counties is 136,981; in the San Joaquin Valley, 52,326; and in the Sacramento Valley proper only 11,779.

The following table shows the vote for 1894, the estimated population, and the increase over and decrease below the population of 1890. The vote is multiplied by 5.

	VOTE 1894	POPULATION 1894	INCREASE OVER 1890	DECR'ASE BELOW 1890
Alameda	20,083	100,415	6 551	......
Alpine	98	490	....	177
Amador	2,650	13,250	2,930	......
Butte	4,554	22,770	4 831	......
Calaveras	2,835	14,175	5,293	......
Colusa	2,102	10,510	....	4,130
Contra Costa	3,440	17,200	3,685	......
Del Norte	693	3,465	873	......
El Dorado	2,608	13,040	3,808	......
Fresno	7,016	35,080	3,054	......
Glenn	1,489	7,445	7,445	......
Humboldt	5,451	27,255	3,786	......
Inyo	872	4,360	816	......
Kern	3,466	17,330	7,522	......
Kings	1 787	8,935	8 935	.....
Lake	1,520	7,600	499	......
Lassen	1,066	5,330	1,091	......
Los Angeles	24,975	124,875	23,421	......
Madera	1,595	7,975	7,975	......
Marin	2,272	11,360	....	1,712
Mariposa	1,144	5,720	1,933	......
Mendocino	4,219	21,095	3,483	.....
Merced	1,963	9,815	1,730	......
Modoc	1,113	5,565	579	......
Mono	555	2,775	773	......
Monterey	4,120	20,600	1,963	......
Napa	3,644	18,220	1,809	......
Nevada	4,381	21,905	4,536	.....
Orange	3,308	16,540	2,951	......
Placer	3,797	18,985	3,884	......
Carr'd For'd	118,816	594,080	116,156	6,019
Brou't For'd	118,816	594,080	116,156	6,019
Plumas	1,194	5,970	1 037	......
Riverside	3,680	18,400	18,400	......
Sacramento	9,564	47,820	7,481	......
San Benito	1,818	9,090	2,678	......
San Ber'dino	5,500	27,500	2,003	......
San Diego	7,124	35,620	633	......
San Fr'cisco	59,643	298,215	......	782
San Joaquin	7,334	36,670	8,001	......
S. L. Obispo	4,028	20,140	4,068	......
San Mateo	2,409	12,450	2,363	......
Santa Barb'a	3.662	18,310	2,556	......
Santa Clara	11,658	58,290	10,285	.....
Santa Cruz	4,411	22,055	2,785	......
Shasta	3,229	16,145	4,012	.....
Sierra	1,308	6,540	1,489	......
Siskiyou	3,238	16,190	4,027	......
Solano	5,226	26,130	5,184	......
Sonoma	7,469	37,345	4,624	......
Stanislaus	2,540	12,745	2,705	......
Sutter	1,713	8,565	3,096	......
Tehama	2,335	11,675	1,759	......
Trinity	998	4,990	1,271	......
Tulare	4,830	24,150	....	424
Tuolumne	2,047	10,235	4,153	......
Ventura	2,882	14,410	4,339	......
Yolo	3,475	17.375	4,691	......
Yuba	2,327	11,635	1,999	......
Total	284,458	1,422,740	221,795	7,225
Deduct			7,225	
Net Increase			214,570	

The increase of population from 1870 to 1880 was 54.40 per cent; from 1880 to 1890, 39.72 per cent, and if the same ratio of increase is maintained from now to 1900 as is shown from 1890 to 1894 the increase will be 62.17 per cent.

Since 1890 Riverside County has been formed out of San Bernardino County, Kings out of Tulare, Madera out of Fresno, and Glenn out of Colusa, so that to show where the increase by sections has occurred San Bernardino should be credited with an increase of 20,403, Fresno with 11,029, Tulare with 8511, and Colusa with 3315.

For the purpose of obtaining a clearer view of the distribution of the population since 1890 we have grouped the counties in the groups popularly known in the State.

The groups show the increase of population since 1890 and the percentage of increase.

SOUTHERN CALIFORNIA GROUP—Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, and Ventura; increase 54,303 .... per cent, 28.59
SAN JOAQUIN VALLEY GROUP—Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare; increase 39,498 .... per cent, 34.90
SACRAMENTO VALLEY GROUP—Butte, Glenn, Colusa, Sacramento, Solano, Sutter, Tehama, Yolo, and Yuba; increase 35,785 .... per cent, 22.90
BAY COUNTY GROUP—Alameda, Contra Costa, Marin, Napa, San Mateo, Santa Clara, Sonoma; increase 27,605 .... per cent, 12.12
SOUTH COAST GROUP—Monterey, San Benito, San Luis Obispo, Santa Cruz; increase 11,494 .... per cent, 19.03
FOOTHILLS GROUP—Amador, Calaveras, El Dorado, Mariposa, Nevada, Placer, Tuolumne; increase 26,537 .... per cent, 37.50

Humbolt shows an increase of 3786—per cent 16.55. Mendocino 3483—per cent 19.80. Shasta 4012—per cent 33.06, and Siskiyou increase 4027—per cent 33.10.

We have shown that in four years we have increased in population 214,610. Allowing only the same annual increase we will have in 1900, 1,744,655 inhabitants. But population increases in greater ratio, and taking into consideration the evidence, so palpable, that we are entering upon a new era of prosperity, that our fruits will be better distributed, and new factories will be established in our State, and California is being better known than formerly, largely through the work of the State Board, we may confidently assert that the census by the United States in 1900 will show a population in this State of not less than, and possibly more than, 2,500,000 people.

In 1884, as we stated, the estimated population was 1,002,068, and the estimated population in 1894 being 1,422,740, the increase, in the ten years, would be 420,672. It is interesting to note the counties which, in the ten years, show the most advancement in assessed valuation. The following table shows the assessed valuation of all property, exclusive of railroad assessments, of certain counties:

	YEAR 1884.	YEAR 1894.
Alameda	$57,434,264	$91,180,398
Fresno	11,975,461	35,785,575 a
Kern	5,915,923	11,566,111
Los Angeles	34,042,019	86,538,287 b
Merced	9,613,640	13,340,443
Placer	6,284,599	9,422,130
Sacramento	26,685,525	32,349,450
San Bernardino	6,961,869	17,498,044
San Diego	5,813,966	22,506,371
Santa Clara	34,949,620	55,240,175
Sonoma	23,645,807	28,238,115
Tulare	9,156,549	21,614,913 c

a—Includes Madera, $6,870,897. b—Includes Orange, $9,422,130.
c—Includes Kings, $6,982,406.

We have omitted certain counties, such, for instance, as Butte, where the hydraulic mining interests, assessed in 1884, were omitted in 1894, and some other counties which, for certain reasons known to all, depreciated in assessment values; but the fact still remains that the counties which show the most advancement in wealth are those in which the principal product is fruit, and in which fruit culture is dependent upon irrigation. The two elements, to wit, horticulture and irrigation, are the prime factors in the progress of the State in material wealth. It will bear iteration that in 1894 there were shipped by rail, from the section known as Southern California, 10,527.2 carloads of fruit, and from Northern California 24,099 carloads of fruit, and which will account for the advanced value of property in the counties devoted to fruit culture.

Respectfully submitted,

JNO. P. IRISH, *Chairman.*
E. W. MASLIN, *of the Committee.*

CALIFORNIA'S PROGRESS

TEN YEARS OF THE STATE'S DEVELOPMENT

COMPARATIVE RESOURCES

IN addition to the foregoing valuable statistics prepared by the Committee on Immigration the State Board of Trade is enabled, through the kindness of Governor Budd, to give to the public the following very interesting letter from the Second Vice-President and General Manager of the Southern Pacific Company, A. N. Towne. The showing made in this letter is highly gratifying to Californians, and will be found very instructive to those interested in California's progress as well as to the student of California's resources. In the matter of statistical data it is one of the most valuable communications that has been sent forth from any source for a long time. In permitting its publication for the benefit of Californians and the information of inquiring millions, the California State Board of Trade takes this method of expressing its obligations to Governor James H. Budd, to whom it is addressed.

To His Excellency, HONORABLE J. H. BUDD,
Governor of California, Sacramento, Cal.

SAN FRANCISCO, May 2, 1895.

MY DEAR SIR:—Mr. William H. Mills has read to me his communication to you under date of the 30th ult., written in behalf of the California State Board of Trade, urging the expediency of temporarily removing the California exhibit, now at their rooms in this city, to Atlanta, Georgia, for the purpose of exhibition at the Cotton States and International Exchange Exposition, to be held at the latter place in September, 1895, and while I cannot hope to add anything that would strengthen the argument advanced by Mr. Mills in favor of this proposition, as he is so well informed in regard to all these matters and invariably covers the entire ground of reasoning in respect to any position that he takes, I thought possibly in considering this question of placing before the visitors to the exposition at Atlanta these substantial evidences of our resources and possibilities, you might find it interesting to note a few statistics, compiled principally from United States Census Reports, demonstrating what a marvelous growth our State shows, particularly during the decade from 1880 to 1890.

My object in directing your attention to these figures is that they seem to speak most eloquently in favor of the proposition so strongly advocated by Mr. Mills, and since the prosperity of our most favored State, as clearly indicated by the State Board exhibit, and by the excess percentages herein shown, stands out so conspicuously as compared with the United States as a whole, I trust you will pardon my presumption in suggesting that we should all make a united effort by the combination of every possible interest in the direction of settling up our sparsely populated country, with a view of further developing the many resources of our State, to the end that the next ten years will show even greater progress than the decade herein referred to.

California stands to-day in the front rank of the great wheat and barley producing State of the Union, and we have discovered in horticulture a resource of even greater possibilities, as the following figures will show. Our gold and silver mines have produced in the aggregate $1,350,000,000.00, and we are still mining about $1,000,000.00 per month; with the revival of hydraulic mining, this product will be very greatly increased. The entire output of quicksilver of the United States is mined in California, the total quicksilver product of this State to date amounting to 1,700,000 flasks, valued at $80,000,000.00. California produces about 40,000 tons of asphaltum, or 90 per cent of the total product of the United States annually. It also produces each year 8,000,000 pounds of borax, 100,000,000 brick, and large quantities of building stone. The total value of its mineral products other than gold, silver, and quicksilver, is about $5,000,000.00 per annum. The bulk of the coal used in California is imported from the North Pacific Coast and from foreign countries, about 75,000 tons being mined yearly in California. We have also an abundant supply of mineral waters, 800,000 gallons, valued at $250,000, being produced in 1890, and this industry promises rapid development.

The growth of agriculture, commercial, and industrial statistics in California, as compared with other portions of the country, is pretty well illustrated by the following comparisons:

AREA AND POPULATION.

The total land area of California is 157,801 square miles, or 100,992,640 acres, of which about 40 per cent, or say 40,000,000 acres may be classed as "arable," or susceptible of cultivation.

California ranks twenty-second among the States in population, its growth in the past forty years as compared with the remainder of the country being as follows:

YEAR.	POPULATION CALIFORNIA.	POPULATION UNITED STATES.	RANK OF CALIFORNIA.
1850	92,597	23,191,876	29
1860	379,994	31,443,321	26
1870	560,247	38,558.371	24
1880	864,694	50,155,783	24
1890	1,208,130	62,622,250	22

From the above it will be seen that the percentage of increase in population in California for the decade from 1880 to 1890 was 40 per cent as compared with only 25 per cent for the whole United States.

California ranked fifteenth in railroad mileage in 1893, showing that, in proportion to its population, the State is abundantly supplied with railroad facilities. The number of miles of railroad within the State has increased from 23 in 1860 to 4,692 in 1893, the increase from 1880 to 1890 being 114 per cent, as compared with 90 per cent for the whole country.

VALUE OF PROPERTY.

The valuation of property in California has shown a remarkable growth in the last forty years, the total true valuation of real and personal property, according to the census figures being as follows:

YEAR.	TOTAL TRUE VALUATION.		VALUATION PER CAPITA.	
	CALIFORNIA.	UNITED STATES.	CALIFORNIA.	UNITED STATES.
1850	$ 22,161,872	$ 7,135 780,228	$ 239	$ 308
1860	207,874,613	16,159,616,068	547	514
1870	638,767,017	30,068,518,507	1,140	780
1880	1,343,000,000	43.642,000,000	1,553	870
1890	2,533,733,627	65,037,091,197	2,097	1,036

For the period from 1880 to 1890 the total true valuation of property in California increased 88 per cent, against a similar increase of only 49 per cent for the whole United States, while the valuation per capita in California increased 35 per cent as compared with 19 per cent for the whole country. Although California ranks but twenty-second among the States in population, it ranks sixth in total wealth, or valuation of property. In this connection it is interesting to note that the tax rate per $100 on total assessed valuation decreased in California from $2.16 in 1880, to $1.70 in 1890, a falling off of 21 per cent. For the whole United States the tax rate increased from $1.83 to $1.85 in the period in question.

FOREIGN TRADE.

The total value of California imports and exports to date amounts to nearly $2,000,000,000, the bulk of which passed through the Port of San Francisco. The comparative growth of the imports and exports is illustrated in the following table:

YEAR.	TOTAL VALUE OF IMPORTS.		TOTAL VALUE OF EXPORTS.	
	SAN FRANCISCO.	UNITED STATES.	SAN FRANCISCO.	UNITED STATES.
1870	$15,982,549	$435,958.408	$13,385,991	$455,208,341
1880	35,221,751	667,954,746	31,845,712	823,946,353
1890	48,751,223	789,310,409	35,962,078	845,293 828

The increase in value of imports for the ten years, from 1880 to 1890, was 38 per cent for San Francisco, against 18 per cent for the whole United States; and in exports for the same period San Francisco shows an increase of 13 per cent as compared with only 3 per cent for the entire country. The total tonnage of vessels entered and cleared from foreign countries at San Francisco shows an increase from 1880 to 1890 of 51 per cent as compared with an increase during the same period for the whole United States of only 10 per cent.

MANUFACTURES.

California manufactures have shown a remarkable growth since 1850, as the following comparative table will show:

YEAR.	VALUATION OF PRODUCTS OF MANUFACTURE.	
	CALIFORNIA.	UNITED STATES.
1850	$ 12,862,522	$1,019,106,616
1870	66,594,556	4,232,325,442
1880	116,218,973	5,369 579,191
1890	213,403,996	9 370,167,624

This is, indeed, a remarkable showing, especially since it is so little understood by our people. For the period from 1880 to 1890 the increase in output of manufactures for

California was 84 per cent, as compared with 74 per cent for the whole United States, showing that we have more than kept pace with the remainder of the country, even with respect to our manufactures.

FARM STATISTICS.

The number of farms in California increased from 872 in 1850 to 52,894 in 1890; the increase from 1880 to 1890 was 47 per cent as compared with an increase of 14 per cent for the whole United States during the same period. For the period from 1880 to 1890 the total acreage in farms in California shows an increase of 29 per cent, as compared with 16 per cent for the whole United States, and for the same period the area of improved land in farms in California increased 15 per cent.

From 1880 to 1890 the value of land, fences, and building on farms in California increased 166 per cent against an increase of only 32 per cent for the whole United States, while the value of farm implements and machinery increased 74 per cent in California and only 25 per cent in the entire country. The value of live stock on farms in California increased from $35,500,417 in 1880 to $60,259,230 in 1890, or 70 per cent, while in the same period the value of live stock in the whole country increased but 46 per cent. California ranks fourteenth in the value of its live stock, first in the number of sheep on ranches, and ninth in the number of horses on farms. As regards stock-raising, there is no country, considering all the conditions, climatic or otherwise, so favorable as California. Our horses, in every test, as you well know, have proved themselves fully up to the best standard of horses bred in the famous Blue Grass region of Kentucky.

FARM PRODUCTS.

California ranks tenth in the United States in the value of its farm products. The increase in total value of all farm products in California, as compared with some of the principal agricultural States, and with the United States, is shown by the census figures as follows:

	YEAR 1890.	YEAR 1880.	INCREASE.	DECREASE.
CALIFORNIA	$ 87,033,290	$ 59,721,425	46%	
New York	161,593,009	178,025,695		9%
Illinois	184,759,013	203,980,137		9%
Iowa	159,347,844	136,103,473	17%	
Pennsylvania	121,328,348	129,760,476		7%
Ohio	133,232,498	156,777,152		15%
Missouri	109,751,024	95,912,660	14%	
Indiana	94,759,262	114,707,082		17%
Michigan	83,651,390	91,159,858		8%
Mississippi	73,342,995	63,701,844	15%	
Alabama	66,240,190	56,872,994	16%	
Kentucky	65,948,485	63,850,153	3%	
Wisconsin	70,990,645	72,779,496		2%
Arkansas	53,128,155	43,796,261	21%	
North Carolina	50,070,530	51,729,611		3%
Virginia	42,244,458	45,726,221		8%
UNITED STATES	2,460,107,454	2,213,402,564	11%	

WHEAT.

In 1893, California ranked third in the United States in the quantity of wheat produced. The average farm value of wheat per bushel last year (1894) was 57 cents, which is higher than in any other section of the United States, the average for the whole country being only 49 cents. From 1880 to 1890, the increase in California wheat production was 41 per cent against an increase of only 1 per cent for the whole United States. In 1890 there was grown in California 9 per cent of the whole crop of the entire country. The bulk of the California wheat product is shipped to foreign countries through the Port of San Francisco, the total value of this trade being one-fourth of the total wheat exports from the United States to foreign countries. Nearly all of the wheat is exported to Great Britain, though considerable of it is sent to China and Central American ports.

BARLEY.

California is the leading barley producing State in the country, producing in 1890, 22 per cent of the entire barley crop of the United States. Although large quantities of barley are consumed at home in the feeding of horses, hogs, and cattle (this cereal in this respect occupying the same place which oats does in the East), a considerable amount of it is exported by sea and sent overland to the Eastern States, California barley having a high reputation among brewers.

HAY.

In 1894, California ranked fourth in the production of hay. From 1880 to 1890 the production in this State increased 184 per cent against 53 per cent increase for the whole United States. The total value of the hay crop of California in 1894 was $30,529,647.

HOPS.

In 1890 California ranked third in the production of hops, being exceeded only by New York and Washington, and in that year this State produced 17 per cent of all the hops grown in the country. The rapid growth of the hop production, the amounts being stated in pounds, is shown by the table hereunder:

YEAR.	CALIFORNIA.	UNITED STATES.
1850		3,497.029
1860	80	10,991.995
1870	625,064	25,456,669
1880	1,444,077	26.546,378
1890	6,547,338	39,171,270

From 1880 to 1890, the hop production of California increased 284 per cent, while in the same period the total production of the United States increased but 48 per cent. Since 1890 the California production of hops has increased 50 per cent, the greater part of the product being shipped overland to the Eastern States.

VEGETABLES.

California produces about 2 per cent of the potatoes grown in the country. The California potato crop increased from 10,292 bushels in 1850, to 3,571,488 bushels in 1893. This State produces 23 per cent of the beans grown in the entire country, ranking second in the United States in this respect in 1890. The California bean crop for 1893 amounted to 72,000,000 lbs., equal to 3,600 car-loads of ten tons each, or equivalent to a train 25 miles long. The total shipments of California vegetables to eastern points by rail in 1893 were: potatoes 16,687 tons; beans, 24,481 tons; other vegetables, 28,639 tons; a total equivalent to a train, each car loaded with ten tons of vegetables, 47 miles in length.

FRUIT.

The development of the orchard industries of California in the past twenty years has been most remarkable. The total value of orchard and vineyard products is about $30,000,000 annually; the output is increasing each year, and, with the extension of eastern markets for our California fruits, the possibilities of California in this connection seem almost unlimited. The following comparisons of eastbound shipments out of the State is most interesting:

Green, deciduous fruits	1871—1,832,310 lbs.	1893—159,905,000 lbs.
Citrus fruit	1876—2,000,000 "	1893—161,514,000 "
Dried fruit	1875— 548,227 "	1893— 82,476,800 "
Raisins	1874— 220 "	1893— 74,788,000 "
Canned goods	1872— 182,090 "	1893— 55,681,400 "

In addition to the above, there was moved locally in 1893 by the Southern Pacific Company lines alone 234,418,000 lbs. of green fruit; 42,990,000 lbs. of dried fruit, and 15,842,000 lbs. canned goods. Estimating 5 lbs. of green fruit to 1 of dried fruit, and 3 lbs. of grapes equal to 1 of raisins, the total orchard and vineyard products of California amounted to about 1,500,000,000 lbs. in 1893, and the output for 1894 was very considerably larger than this. To further illustrate the magnitude of the orchard industry in California, it may be said that this prodigious amount is sufficient to fill a train of cars, each with 10 tons of freight, of over 500 miles in length, or more than half the distance from New York to Chicago.

WINE.

California produces much more wine than any other State in the Union, there being made in this State in 1890 more than 60 per cent of the entire output of the country. Experts from abroad acknowledge that the quality of the average grade of French and German wines is not superior to that of California wine, and agree that this State has a great future in the manufacture of wine as well as brandy. California wines are coming into general use throughout the United States, our yield having shown a development as follows:

YEAR.	CALIFORNIA.	UNITED STATES.
1875	4,000,000 gals.	13,000,000 gals.
1880	10,000,000 gals.	23,000,000 gals.
1890	18,000,000 gals.	23,000,000 gals.

The production of California from 1880 to 1890 increased 80 per cent, while the output of the entire country remained stationary.

California produces annually about 2,000,000 gals. brandy, or three-fourths of the entire production of the United States. The brandy production of California is rapidly increasing and finds a ready market in the Eastern States and in Europe.

BEET SUGAR.

California easily ranks first among the States in the production of beet sugar, its output in 1894 being nearly 80 per cent of the entire product of the country. From an output of 1,200,000 lbs. of beet sugar in 1883, the manufacture of beet sugar in this State has made rapid progress in the past ten years and promises a large development in the future, the production in the last three years, in pounds, being:

YEAR.	CALIFORNIA.	UNITED STATES.
1892	8,175,438 lbs.	12,004,838 lbs.
1893	21,801,288 "	27,083,288 "
1894	35,088,969 "	45,191,296 "

From 1892 to 1894 the increase in the California production was 329 per cent as compared with an increase of 276 per cent for the whole United States, including California. This industry in this State is only in its infancy, and I would hesitate to attempt to prophesy our possibilities in this direction lest you might deem me visionary, but the figures showing a two years' growth speak for themselves.

DAIRY PRODUCTS.

In 1890 California ranked fifth among the States in the production of honey, and its output is yearly increasing. The following figures are self-explanatory:

YEAR.	CALIFORNIA.	UNITED STATES.
1870	294,326 lbs.	14,702,816 lbs.
1880	574,029 "	25,741,485 "
1890	3,929,889 "	63,894,186 "

The production of honey in California since 1890 has increased to 6,000,000 pounds annually.

From 1880 to 1890 the egg production of California increased 137 per cent against an increase or the whole country of 79 per cent. Notwithstanding the rapid growth of this industry, Eastern eggs in large quantities are still imported into this State, and there is a most promising field for enterprise for the local production of eggs in this State.

From 1880 to 1890 California shows an increase in the amount of butter produced on farms of 90 per cent against an increase of only 32 per cent for the whole United States. From 1880 to 1890 the amount of cheese produced on farms in California shows an increase of 51 per cent, as compared with a decrease of 31 per cent for the entire country. In 1890 California ranked second among the States in the production of cheese on farms. The milk production of California increased from 3,693,021 gallons in 1870 to 12,353,178 gallons in 1880, and to 111,191,186 gallons in 1890, an increase for the last decade of 800 per cent.

In the way of other farm products, I am confident that there are most promising possibilities in California for the culture of cotton, flax, hemp, and other fibres, and it has been at least partially shown that tobacco of a superior quality can be produced in California, but the attention of our limited number of people has been fixed upon other objects.

WOOL.

California each year ranks either first or second in the production of wool, this State producing in 1890 about 13 per cent of the total product of wool of the Union. The growth of this product is illustrated below.

YEAR.	CALIFORNIA.	UNITED STATES.
1850	5,520 lbs.	52,516,959 lbs.
1860	2,683,109 "	60,264,913 "
1890	24,092,954 "	191,278,084 "

LUMBER.

The lumbering interests of California are constantly on the increase. The sawed lumber produced, in feet board measure, compare as follows:

YEARS.	CALIFORNIA.	UNITED STATES.
1880	304,795,000	18,091,356,000
1890	517,781,000	27,869,000,000

During this period the amount of sawed lumber produced in California increased 70 per cent, against an increase of 54 per cent for the whole United States. About 18 per cent of the area of California is termed "forest," and 27 per cent "brush" land, the remainder being classed as "open country." This would show an area of forest land of 18,000,000 acres, or 4 per cent of the total forest area of the United States. Besides the large quantities of lumber used locally for domestic purposes, California lumber finds a growing market in the Eastern States, and much of it is exported to Europe and Australia, Central America, Mexico, South America and the Islands of the Pacific. The supply is adequate for many years to come, and the belt of California redwood is especially considered as one of the most productive and valuable in the world.

GENERAL FACTS.

Taking the results as indicated by the foregoing data, a few general facts deduced therefrom, for purposes of comparison, present a unique picture, bringing out these striking illustrations more conspicuously to the eye, and impressing one all the more deeply with their magnitude, and forcing one to the conclusion that California is a most progressive State; that it has more than kept pace in the growth of its various industries with the rest of the United States, statements of prominent Eastern people to the contrary notwithstanding; that its handful of people spread out over this vast and fertile territory are imbued with energetic purpose, and are determined to gain in rank in our prosperity in comparison with the other States of the Union, just as we have been doing with such marvelous strides during the past years, as indicated by the foregoing statistics. The census of 1890 shows that the area of California is 4.4 per cent of the total area of the United States, with only 1.9 per cent of the total population, but to appreciate what our people are actually doing, please note these figures most carefully. Area of improved land in farms, 3.4 per cent; mileage of railroads in the State, 2.6 per cent; valuation of property in California is 3.9 per cent of the total for the United States; value of farms and live stock, 4.8 per cent; value of farm products, 3.5 per cent; output of manufactures, 2.3 per cent; California produces annually 38 per cent of the gold; 2.1 per cent of the silver; all of the quicksilver; 93 per cent of the asphaltum; 4 per cent of the stone; 6.3 per cent of the mineral water, and 1 per cent of the petroleum; yet the last mentioned article has just commenced in its development. Keeping in mind all the time that we have less than 2 per cent of the population, there is grown in California 8.7 per cent of the wheat produced in the United States; 22 per cent of the barley; 1.8 per cent of the oats; 17 per cent of the hops; 1.7 per cent of the broom corn; 23 per cent of the beans; 60 per cent of the wine; 100 per cent of the raisins; 10 per cent of the wool; 6.1 per cent of the honey; 1.7 per cent of the eggs; 2.6 per cent of the butter; 2.1 per cent of the cheese, and 2.1 per cent of the milk produced in the United States. California has within its borders 2.7 per cent of the horses; 2.4 per cent of the mules and asses; 2.6 per cent of the oxen, cows, and other cattle; 1 per cent of the swine, and 6.9 per cent of the sheep in the United States.

Now, in the face of these figures, who will say that we have not a wonderfully prosperous future before us? And it seems to be all important that we should leave no stone unturned, especially when so little money is involved as will be incident to bringing the elaborate display of the State Board of Trade to Atlanta, to bring before the frugal toilers of the Southern States these marked evidences of our natural wealth, thereby inducing immigration from among the enterprising classes to come among us and help us develop the manifold resources which nature has bestowed upon this most favored State.

I beg pardon for inflicting this long letter upon you, my only purpose being in the direction of presenting some figures to you in a concise manner that might otherwise escape your notice, in the hope that they may help to guide you in your judgment of the matter in question. You are at liberty to use these figures, or this letter, in any manner that may meet with your pleasure.

Yours very truly,

(Signed) A. N. TOWNE.

EDUCATIONAL.

THE following interesting data, which the State Board of Trade is enabled to present with the second edition of this popular pamphlet, speaks for itself.

MR. J. A. FILCHER,
Secretary and General Manager
State Board of Trade, City.
SAN FRANCISCO, CAL., June 15, 1895.

DEAR SIR:—Our mutual friend, Mr. John J. Valentine, President of Wells, Fargo & Co., who has always shown a marked interest in everything that pertains to the welfare of this State, has called upon me and suggests that in connection with my letter to Governor Budd, which you have considered of sufficient importance to have published for the edification of the people generally, that some statistics in relation to educational matters in California in comparison with the rest of the United States, would be very interesting, particularly to Eastern people, among whom Mr. Valentine would like to distribute several thousand copies of this pamphlet. Therefore, I have prepared the following data which is submitted for your consideration.

EDUCATION.

The educational advantages in California are doubtless unsurpassed by any other State in the Union, and, on the basis of population, California expends more each year for the education of its school children than any other State, and pays a higher average rate of compensation to its teachers than elsewhere in the country. The following figures, furnished by the United States Commissioner of Education, pertaining to public school statistics of California and of the whole United States, are, from a comparative standpoint, interesting.

ESTIMATED NUMBER CHILDREN FROM 5 TO 18 YEARS OF AGE.

YEAR.	CALIFORNIA.	UNITED STATES.
1872	150,200	12,565,600
1882	228,900	15,761,170
1893	308,600	19,552,491
Increase 1893 over 1882	35%	25%

NUMBER OF PUPILS ENROLLED IN PUBLIC SCHOOLS.

YEAR.	CALIFORNIA.	UNITED STATES.
1872	94,720	7,815,306
1882	168,024	10,211,578
1893	232,501	13,510,719
Increase 1893 over 1882	38%	32%

NUMBER OF CHILDREN IN EACH 100 OF POPULATION FROM 5 TO 18 YEARS OF AGE ENROLLED IN PUBLIC SCHOOLS.

YEAR.	CALIFORNIA.	UNITED STATES.
1872	63	62
1882	73	65
1893	75	69

The average daily attendance during 1893 amounted to 68 per cent of the total number enrolled in California and 66 per cent of the total number enrolled in the United States.

AVERAGE DURATION OF SCHOOL, IN DAYS.

YEAR.	CALIFORNIA.	UNITED STATES.
1872	127.6	133.4
1882	155.4	131.2
1893	160.2	136.72

The average school term is longer in California than in any other section of the country, with the exception of the New England States.

TEACHERS AND TEACHERS' SALARIES.

YEAR.	CALIFORNIA.		UNITED STATES	
	TEACHERS.	SALARIES.	TEACHERS	SALARIES.
1872	2,301	$1,321,949	229,921	$45,935 681
1882	3,777	2,456,311	299,079	60,594,933
1893	6,136	4,055,888	383,010	104,090,607

The number of teachers from 1882 to 1893 increased 62 per cent in California, against an increase at 28 per cent in the whole country, and in the same period California shows an increase of 65 per cent in the compensation paid teachers. The average annual salary per teacher in 1893 was $661 in California, as compared with an average of only $272 for the whole country, or less than half as much as paid in California. Although this State ranked in 1893 only 24th in the number of teachers employed, it ranked 7th in the amount paid to them for their services.

TOTAL EXPENDITURES FOR MAINTAINING PUBLIC SCHOOLS.

YEAR.	CALIFORNIA.	UNITED STATES.
1872	$1,881,333	$ 74,234,476
1882	3,122,666	88,990,466
1893	5,709,687	162,794,148
Increase 1893 over 1872	204%	119%

In the amount expended for the maintenance of its public schools in 1893, California was exceeded only by the great States of New York, Pennsylvania, Massachusetts, Ohio, Illinois, Michigan, and Iowa, all of which have a far larger population than this State.

A striking example of the high standard of excellence of the public school education o the children of California is found in the following table, showing the amounts expended on the maintenance of public schools by the States named, all of them having a greater population than contained within the borders of California:

STATE.	POPULATION CENSUS OF 1890.	AMOUNT EXPENDED ON MAINTENANCE OF PUBLIC SCHOOLS, YEAR 1893.
California	1,208,130	$5,709,687
Missouri	2,679,184	5,705,110
Indiana	2,192,404	5,609,655
Minnesota	1,301,826	4,692,891
Wisconsin	1,686,880	4,678,689
Kansas	1,427,096	4,250,000
Texas	2,235,523	3,925,000
New Jersey	1,444,933	3,834,103
Kentucky	1,858,635	2,385,000
Virginia	1,655,980	1,798,158
Tennessee	1,767,518	1,647,799
Georgia	1,837,353	1,631,221
Mississippi	1,289,600	1,192,844
Alabama	1,513,017	890,000
North Carolina	1,617,947	790,320

In this connection the following data, compiled from the United States census of 1890, relative to public schools, is interesting:

EXPENDITURES ON PUBLIC COMMON SCHOOLS.

YEAR.	PER HEAD OF POPULATION. CALIFORNIA.	PER HEAD OF POPULATION. UNITED STATES.	PER CAPITA OF PUPILS ENROLLED. CALIFORNIA.	PER CAPITA OF PUPILS ENROLLED. UNITED STATES.
1880	$3.51	$1.59	$18.77	$ 7.99
1890	4.24	2.24	23.00	11.03

California leads all other States in the amount expended on maintenance of public schools per head of population, being almost twice the average for the entire country.

That the quality of the buildings used for school purposes in California has materially improved during the decade from 1880 to 1890 is shown by the fact, that although the total school enrollment increased but 37 per cent, the value of school buildings increased from $6,949,983 in 1880 to $13,624,143 in 1890, or 96 per cent.

COLLEGES AND UNIVERSITIES.

According to reports of the United States Commissioner of Education, the number of teachers in theological, law, medical, and liberal art colleges, and in colleges for women, compares as follows:

YEAR.	NUMBER OF TEACHERS. CALIFORNIA.	NUMBER OF TEACHERS. UNITED STATES.	NUMBER OF PUPILS. CALIFORNIA.	NUMBER OF PUPILS. UNITED STATES.
1886	307	10,000	2,697	116,527
1890	428	13,839	4,117	170,487
1892	505	15,726	4,551	188,686
Increase 1892 over 1886	65%	57%	41%	38%

The above table shows that, in the higher institutions of learning, we are progressing more rapidly than the remainder of the country, and that we have our full quota of the higher colleges is evidenced by the fact, though California has less than 2 per cent of the population of the whole country, it has 2.4 per cent of the pupils attending the colleges, and 3.2 per cent of the teachers employed to instruct them; and, as is well known, the quality of the instruction to be obtained at our higher universities will compare very favorably with any similar institutions in the United States. Since the year 1892 large increases have been made in the number of pupils attending universities and colleges in the State of California.

I have also prepared for your information, so that it may catch the eye more readily, a graphic chart, illustrating the general facts contained in the closing portion of my letter to Governor Budd, which is attached hereto.

Yours truly,

A. N. TOWNE.

DIAGRAM OF COMPARATIVE RESOURCES.

The relative importance of certain Californian industries in comparison with totals for the United States, as shown by the census of 1890 and other data as set forth under the head of "General Facts" in preceding letter to Governor Budd from Mr. Towne, is graphically pictured hereunder (the total for the United States being taken as 100 per cent, and the percentage for California in each case representing its ratio to the whole country). The value of this illustration is more apparent when, in noting the percentage opposite each heading, it is remembered that the population of California represents only 1.9 per cent of the total for the United States.

CALIFORNIA.	PER CENT.
POPULATION	1.9
Miles of Railroad	2.6
Area	4.4
Improved land in Farms	3.4
Value of	
Output of Manufactures	2.3
Farm Products	3.5
All Property	3.9
Farms and Live Stock	4.8
Imports and Exports	5.0
PRODUCTIONS.	
Minerals:	
Gold	38.0
Silver	2.1
Quicksilver	100.0
Asphaltum	93.0
Stone	4.0
Mineral Waters	6.3
Petroleum	1.0
Cereals:	
Wheat	8.7
Barley	22.0
Oats	1.8
Rye	0.9
Hay	5.0
Hops	17.0
Broom Corn	1.7
Beans	23.0
Wine	60.0
Raisins	100.0
Beet Sugar	80.0
Wool	10.0
Honey	6.1
Eggs	1.7
Butter on Farms	2.6
Cheese on Farms	2.1
Milk	2.1
Live Stock:	
Horses	2.7
Mules and Asses	2.4
Oxen, Cows and other cattle	2.6
Swine	1.0
Sheep	6.9
Sawed Lumber Produced	1.9
Expended on Public Schools	3.5